THE GREAT DIGITAL TV HEIST

May 12-25, 1997

In These Times

In Maggie's Closet



New Labor's political cross-dressing

Hilary Wainwright reports

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EDITORIAL

THE LIMITS OF VOLUNTEERISM

When the founding fathers came together to draft the U.S. Constitution in 1787, they wrote in the preamble that one of their goals was "to promote the general welfare." In late April, at a three-day "summit" meeting to hype volunteerism—held in Philadelphia, the city where the Constitution was written—Bill Clinton joined George Bush, Jimmy Carter and Gerald Ford in calling for the privatization of that basic governmental duty.

Almost half of American adults participate in some form of unpaid voluntary activity, which, loosely defined, includes everything from preparing church suppers and cleaning city parks to helping mentor underachieving students. Almost all of these volunteers put in time with groups to which they already belong, or with which they want to associate. They help out at community theaters, museums, local sports events and a host of other local venues, especially those related to church or school. However, as traditional communities have been ripped apart by the outflow of jobs from the cities to the suburbs, the forms of voluntary activity have become fewer and more focused on individual and immediate family interests. In short, volunteerism is becoming more privatized.

Clinton proposes passing the burden of promoting the general welfare—from government to the individual citizen.

It has always been the case that very few of those now classified as volunteers participated in activities beyond the confines of their culture, class and social standing, but such activity was much more common in traditional urban environments than it is today. Even in large cities, people are much less directly and intensely engaged in public life than they were in the past, if for no other reason than that they must work much harder and longer simply to get by.

Clinton has mastered the art of dissembling. He presents himself as sensitive to the suffering of the dispossessed. He urges the American people to be concerned about the welfare of those excluded from the prosperity and comfort of corporate culture. He talks about the need for volunteers to spend time ministering to those less fortunate than themselves. And he urges volunteers to be mentors for the 2 million children who currently have no prospect of learning the skills needed to assimilate into mainstream society.

But he carefully avoids confronting the disconnect between the size of the problems we face and the capacity of volunteers to confront them. Nor does he mention that while mentor programs may help some students stay off drugs and do better in school, even those who succeed in acquiring "marketable skills" have little or no chance of earning enough to lead secure, comfortable lives. He avoids like the plague the idea that government—our common creation and the repository of our collective resources—is responsible for educating children and creating the jobs for which they are being prepared. Talk is a poor substitute for action on behalf of those he claims to champion.

Clinton's failure to involve government in solving these problems reflects his apparent belief that the needs of the dispossessed should be attended to only in election campaigns. In Clinton's universe, the business of government, as Calvin Coolidge liked to say, is business. And the role of citizens is not to rock the boat. Thus, in Philadelphia, when asked how one should tell children to be good citizens, he gave this response: "I want the answer to be, 'Well, to be a good citizen, you have to obey the law, you've got to go to work or be in school, you've got to pay your taxes, and—oh, yes, you have to serve your community to help make it a better place.' "

Neither the Ayatollah nor Gen. Pinochet—nor, for that matter, Leonid Brezhnev—could have said it better. Citizenship means passive obedience and, at most, service to one's local community. In Clinton's concept of democracy, citizens seem to be little more than a necessary obstacle to overcome on the path to office. Those who have spent their lives groveling for money and favors from the powerful in order to get elected will rule in accordance with the needs of their sponsors. Ordinary citizens can stand on the sidelines, help pick up trash in their neighborhood park, or at best help prepare a high school student for a non-existent job. ◀

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"...with liberty and justice for all"

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In These Times (ISSN 0160-5992) is published biweekly by the Institute for Public Affairs, 2040 N. Milwaukee Ave., Chicago, IL 60647. Subscriptions are $36.95 a year ($59 for institutions; $61.95 Canada; $75.95 overseas). Second-class postage paid at Chicago, IL and at additional mailing offices. Postmaster: Send address changes to *In These Times*, 308 E. Hitt St., Mt. Morris, IL 61054. This issue (Vol. 21, No. 13) published May 12, 1997, for newsstand sales May 12-25, 1997. (773) 772-0100. Member: Alternative Press Syndicate. The entire contents of *In These Times* are copyright ©1997 by the Institute for Public Affairs, and may not be reproduced in any manner, either in whole or in part, without permission of the publisher. Copies of *In These Times*' contract with the National Writers Union are available upon request. Complete issues and volumes of *In These Times* are available from University Microfilms International, Ann Arbor, MI. All rights reserved. *In These Times* is indexed in both the Alternative Press Index and the Left Index. Publisher does not assume liability for unsolicited manuscripts or material. Manuscripts or material unaccompanied by stamped, self-addressed envelope will not be returned. All correspondence should be sent to: *In These Times*, 2040 N. Milwaukee Ave., Chicago, IL 60647. E-mail: itt@igc.apc.org. For customer service and to place subscription orders, call toll free: (800) 827-0270. Advertising rates sent on request. Available back issues are $5 each; specify volume and number. All letters received by *In These Times* become property of the newspaper. We reserve the right to print letters in condensed form.

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In THESE TIMES

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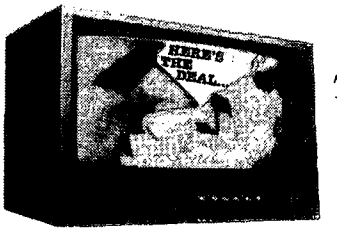


In Maggie's closet

Political cross-dressing was not New Labor's only option in this month's elections.

HILARY WAINWRIGHT

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The great digital TV heist

The FCC is giving away invaluable digital spectrum to media fat cats.

ROBERT W. MCCHESNEY

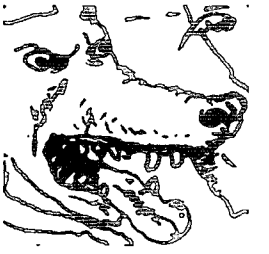
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Sniffin' in the boys' room

Drug-sniffing dogs are being invited into the nation's schools.

EVAN HALPER

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LETTERS

Closed-door policy

No discourse in America is more controlled or corrupt than that on China. So many thanks for James North's review of Maurice Meisner's new book, *The Deng Xiaoping Era: An Inquiry into the Fate of Chinese Socialism* ("Deng's legacy," March 31). The views of this distinguished professor often contradict official ideology on China, and thus are rarely available to a wider public.

I have long admired North's reporting, but I must take issue with his statement that, until 1976, China closed itself off from the outside world. This is a ubiquitous point made by ideologues in media and academia, but is it true? Or did the United States slam the door shut? Despite wrongful U.S. engagement in China's civil war, Mao remained open to friendly relations with the United States. After 1949, however, our government, influenced by the defeated Nationalists and the China lobby, refused to recognize the new Chinese government. Moreover, it organized an economic blockade and hostile military action against it.

This state of affairs did not change until 1969-70, when U.S. policy changed, largely as a result of the failures in Vietnam. The U.S. government had justified the Vietnam War as fighting Chinese aggression; when the war policy failed, the China policy behind it failed, too.

Moss Roberts
Professor of Chinese
New York University
New York City

The rise of the superstate

Does globalization matter? (*In These Times* special issue, March 31) It sure does!

Worldwide, national governments are steadily being downsized and privatized so they can be taken over by extremely wealthy, powerful multinational corporations. The international corporate superstate is outflanking representative governments and their citizens. This superstate has little regard for its workers, democracy or the environment. It has only one overriding interest—profit.

With the General Agreement on Tariffs and Trade administered by the World Trade Organization in Geneva, we have a world government run by and for business. Local governments and their citizens will become subordinate to the WTO, making it the most effective dictatorship ever.

We have seen the collapse of communism. Are we now witnessing the destruction of democracy? How can any government serve its people if it becomes too weak to cope with corporate power?

The militia movement rails against the wrong enemy.

Oliver Tracy
Portland, Ore.

Inhuman suffering

As always, Joel Bleifuss has written a moving, infuriating, brilliant article ("In hog hell," March 31). However, I wish that he had pointed out a few other things about the industries that kill more than 8 billion animals every year. For example, the animals-for-food industry is the number one polluter in this country, responsible for vast water pollution (230,000 pounds

SYLVIA — by Nicole Hollander



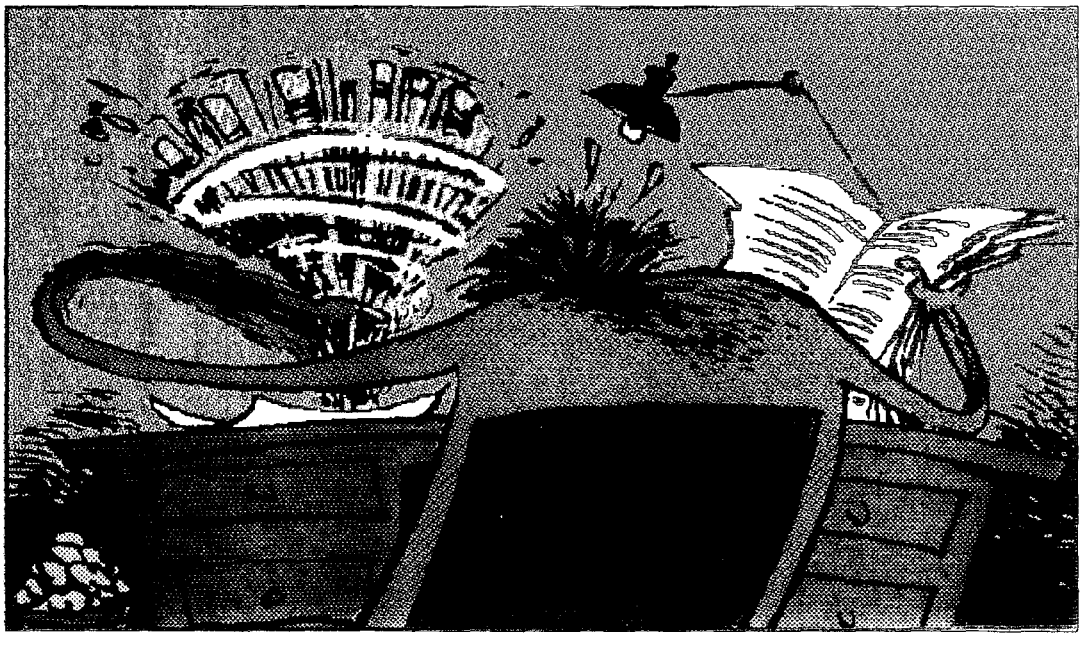
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of excrement per second), soil erosion, water use (more than all other industries combined), and land use (87 percent of all U.S. agricultural land). Eating animals is also unhealthy, which means an annual health care bill directly attributable to animal consumption that tops $120 billion.

Finally, eating animals is wrong. Animals feel pain that is physiologically the same as the pain experienced by human beings. They deserve to be treated with respect, and have a right not to be exploited for human purposes—not for food, clothing, cosmetics, medicine or amusement. Bigotry on the basis of species is no more justifiable than bigotry on the basis of race, sex, religion or sexual preference.

We on the left need to root out our own species biases and embrace animal liberation with the same vigor with which we embrace human struggles for justice.

Bruce Friedrich
Norfolk, Va.



Hard time, hard labor

Particularly upsetting was your recent cover story on prison labor ("America's newest growth industry," March 17). While I applauded inmate Howard Zephur's comment in the sidebar—"I'm not going to work to pay the state to send me to prison"—which proves there are signs of intelligent life in prison, the rest of the story left me disgusted to be living in this society. I am despondent for two reasons.

First, it's outrageous that inmates' families must travel from eight or nine states away to visit loved ones. Plain and simple, each state should house its own criminals. The whole practice of inmate transfer sounds frighteningly like shipping slaves from Africa to work on Southern farms.

Second, by putting inmates to work, we are undermining welfare-to-work programs. Surely a single mom on welfare is capable of making airline reservations at $18 an hour. But a prisoner earning less than the minimum wage is performing this job. It doesn't take a rocket scientist to figure out where the other $13 an hour ends up.

I wonder if the working inmates know that Congress is about to take away their Social Security benefits because of their felony convictions. I would love for *ITT* to gauge their reaction to this bill, if passed, in a follow-up article.

A final note: I believe in prison labor—hard labor. I believe prisoners should build and maintain prisons, grow their own food and raise their own livestock, cook and clean for themselves, and work occasionally for Uncle Sam. But a good idea has once again been taken to extremes by capitalist greed.

Donna Smith
Clarkesville, Ga.

Prison profiteering

Kristin Bloomer's article "America's newest growth industry" hit home with me. As an inmate, I've personally experienced the harm that prison systems, as a business, inflict and will continue to inflict on those both inside and outside of penal institutions.

The hypocritical statements made by people like Greg Skeen, the warden at Lockhart's private facility in Texas, illustrate my point exactly. Skeen states in your article: "It's just like a small community. We have a lot of talented people locked up in the state of Texas." If they possess this unquestionable talent, then why is it not used prior to their incarceration?

With the big move toward stiffer sentences, and with private prisons squeezing out every penny in profit that they can, substandard conditions are inevitably going to become more common. Does this interest in new private institutions result from a genuine concern about public safety, or is the idea of a larger captive work force just too appealing to corporate America? As stock analyst Brian Ruttenbur says, as long as crime continues, the business world will prosper.

America will undoubtedly become a victim of this mockery of justice.

Robert Kelly
Medaryville, Ind.

Correction: In Annys Shin's "Capital games," (April 28), the chair of the Joint Economic Committee was mistakenly identified. He is Rep. Jim Saxon of New Jersey, not Sen. Connie Mack of Florida.

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InSHORT



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Whitewashing waste

The reverse discrimination crowd has just gained a new guru. To the roster of racism's apologists headlined by the likes of Charles Murray, Pete Wilson and Fuzzy Zoeller, now add the name of Don Coursey, the Ameritech professor and dean of the Irving B. Harris Graduate School of Public Policy Studies at the University of Chicago. Coursey, along with graduate student Brett Baden, recently published a study that purports to debunk the notion of "environmental racism" as little more than an urban legend. White Yuppies, Coursey and Baden argue, are just as likely to live by toxic dumps as blacks and other minorities.

"There is no good evidence that African-Americans of any income class are more likely to live in areas with more concentrated waste sites in the city of Chicago," Coursey and Baden write with definitive zeal. The researchers assert that settlement and industrialization patterns played the primary role in determining the location of hazardous waste sites and claim to have uncovered no evidence that the siting of hazardous waste facilities is racially motivated or discriminates against the poor. Somewhat reluctantly, Coursey and Baden confess that Latinos do appear to be more likely to live near Superfund sites than other ethnic groups. They quickly dismiss racial animus as a potential cause, however, and attribute the phenomenon to "recent in-migrations." From there, the report reaches the astounding conclusion that "affluent professionals" may in fact be the real victims of environmental injustice, because former industrial sites along the Chicago River are now being "redeveloped as loft apartments and condominiums."

Coursey claims the results came as a surprise to him, though this seems highly unlikely. The new study is a follow-up to the professor's 1994 report, "Environmental Racism in the City of Chicago," which he says "found no evidence of environmental racism." In fact, the two University of Chicago reports are just the latest in a decade-long corporate counterattack against the 1987 study "Toxic Waste and Race in the United States." That groundbreaking analysis, commissioned by the United Church of Christ, concluded that hazardous waste facilities are twice as likely to be located in communities with high populations of minorities.

In yet another example of sociology by press release, the ink had barely dried on the Coursey/Baden report before the massive public relations apparatus at the university had churned out an impressive-looking packet touting the report as the "most comprehensive" analysis of the hazardous waste issue in Chicago. The study was speedily seized upon by *Chicago Tribune* reporter Peter Kendall, who wrote a laudatory story under a banner headline that read, "Report Calls Environmental Racism Garbage." Displaying its usual sensitivity in racial affairs, the *Tribune* ran the story on the anniversary of Martin Luther King Jr.'s assassination.

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Kendall suggests that Coursey and Baden have brought the cold light of reason to a subject clouded by emotionalism. "With its U. of C. pedigree," Kendall writes, "the study is likely to shake up a field that has been influenced as much by activism as by academic discipline."

Kendall delicately sidesteps the fact that Coursey and Baden's methods have already come under withering critical scrutiny. Two serious flaws have been detected. First, it appears the researchers may have relied on a questionable use of faulty census data. More seriously, the narrow lens of the study (looking only at sites within the political boundaries of the city of Chicago) deliberately excludes the relatively waste-free and predominantly white suburbs, distorting the report's conclusion. Even worse, the study skirted the largely black suburbs southeast of the city, widely known as one of the nation's most toxic landscapes.

The *Tribune* story also failed to report on what any environmentalists or black residents of Chicago thought about the study. One person whom Kendall certainly should have called for comment is Hazel Johnson, who heads People for Responsible Communities, an environmental justice group in southeast Chicago. "None of these people ever came to our neighborhood, which I call the toxic doughnut," Johnson says. "I call it that because our community, which is all black, is surrounded by landfills, steel mills, chemical plants, illegal dumps and incinerators." Johnson's community is Altgeld Gardens, a low-income housing project with the highest cancer rates in the city of Chicago. Johnson isn't hard to find. In 1992, that great conservationist George Bush awarded her the President's Environmental and Conservation Challenge Medal.

While community groups like Hazel Johnson's struggle to find enough money to fend off the environmental predations of companies such as Waste Management Inc., Coursey, who describes himself as "an experimental economist," presides over a department lavishly funded by grants and donations from interests with a big financial stake in the professor's research findings. In the past, Coursey has received generous support from Burlington-Northern, the railroad and mining giant that has littered the West with poisonous dumps and toxic spills, many of them on Indian lands. (Coursey's partner in crime, Brett Baden, is the son of John Baden, the fanatical property-rights advocate who was an intellectual Svengali of the Sagebrush Rebellion back in the late '70s.)

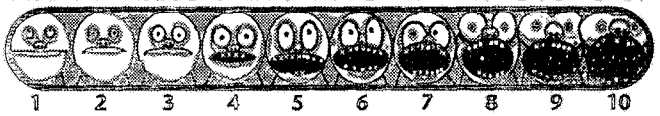
Academic greenwashing notwithstanding, hazardous waste facilities continue to be sited with chilling regularity in poor areas inhabited largely by minorities. This is not a statistical phenomenon, but a deliberate business and political strategy, crafted by corporate executives and bureaucrats who learned their trade at places like the University of Chicago. A 1984 memo from the California Waste Management Board spells out the strategy in stunningly clinical language: "All socioeconomic groups tend to resent the nearby siting of major [hazardous waste] facilities, but middle and upper socioeconomic strata possess better resources to effec-

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APPALL-O-METER

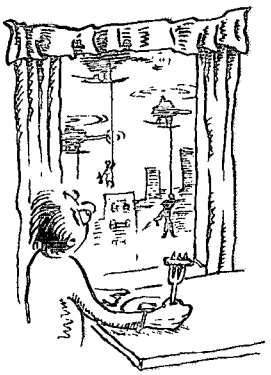
THE *IN THESE TIMES* INDEX OF INDECENCIES



By David Futrelle

Blitzkrieg bop 8.6

You're sitting watching TV in your apartment on a quiet Tuesday night. Suddenly, helicopters, their lights out, swoop down from above. Armed figures slither down dangling ropes and charge into a nearby warehouse with guns blazing. Is this the opening to a new novel by Michael Crichton or, perhaps, Timothy McVeigh? No, it's just your tax dollars at work. According to the *Washington Post*, the U.S. Army has held nearly two dozen urban anti-terrorism practice raids in cities from Los Angeles to Miami—involving blacked-out helicopters, dark-suited Special Operations officers and a lot of things that go boom in the night. Though urban non-terrorists living nearby the practice sites are supposed to be notified of such things in advance, an Army spokesperson told the *Post* that slip-ups were inevitable, and "people are going to get missed." "How they thought you could come in and out without any disturbance is beyond me," complained Charlotte, N.C., Mayor Pat McCrory, whose town was invaded in early March, sending panicked residents scurrying to call 911. "It was almost like a blitzkrieg operation. People went and got their guns. I feel fortunate no one was hurt."



Suffer the little children 9.2

They can't drink, they can't drive, and they can't vote. But if California Gov. Pete Wilson has his way, Californians as young as 14 will have the right to be fried, the *Chicago Tribune* reports. Wilson, who's been trying to "toughen up" the state's juvenile justice system, says he'd be willing to execute "hardened criminals" in their early teens. "What is needed is a juvenile justice system that teaches our youngest offenders that crime is not child's play," Wilson, a Republican, explained in a speech at the Sacramento Press Club. Not to be outdone, Cruz Bustamente, the Democratic speaker of the State Assembly, told reporters the next day that he'd allow executions of little criminals as young as 13.

Arrested Development 7.2

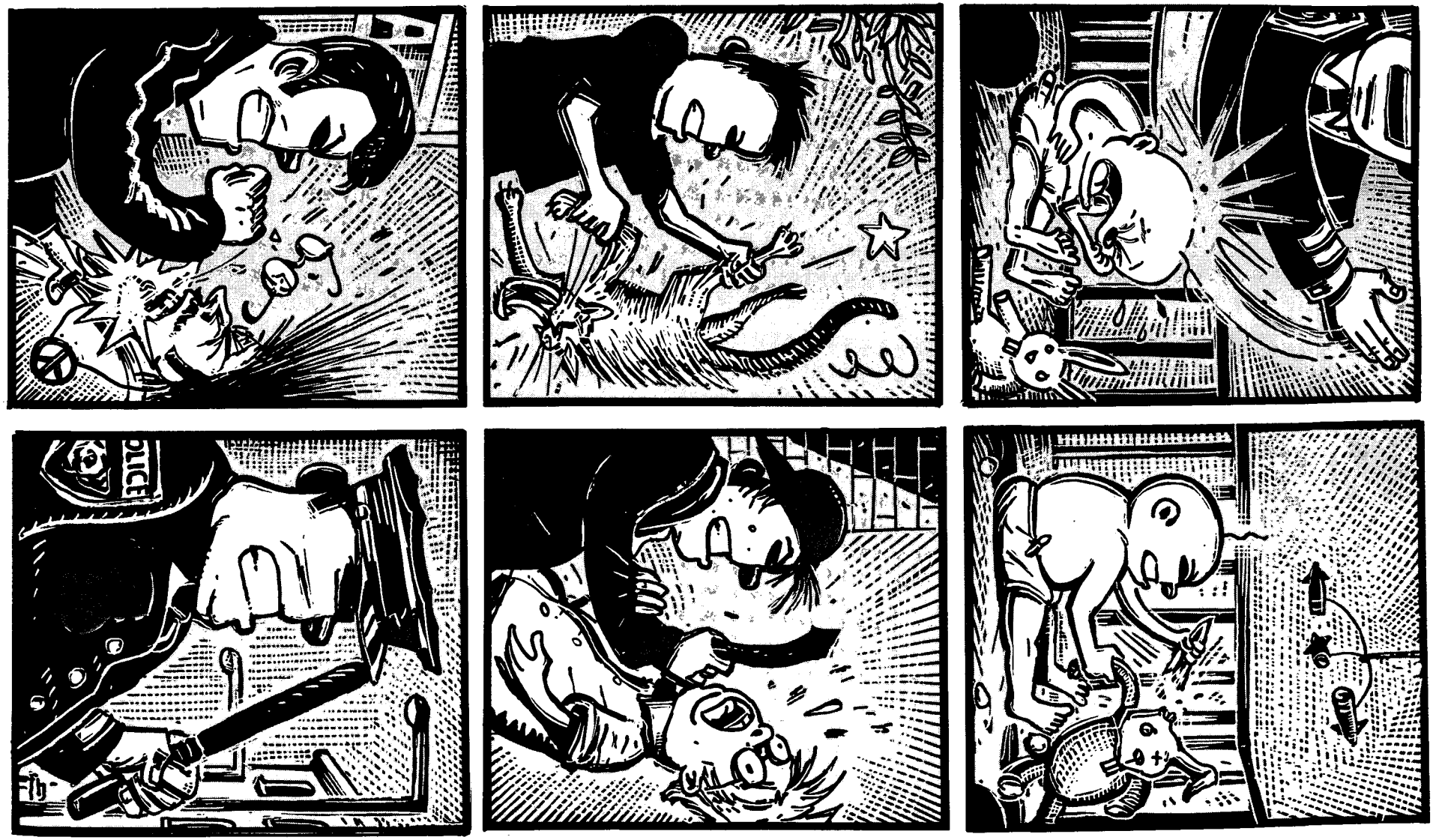
Get those arrests up! Accused of sexually harassing a female colleague, a police constable in West Yorkshire, England, told an industrial tribunal that sexual horseplay was just part of the job, London's *Daily Telegraph* reports. The accused constable explained to the tribunal that officers in the division "kept a league table of arrests with the lowest point scorers having to give sexual favors. He said the 25-year-old policewoman [accusing him] and a female colleague once sat on a male officer's knees and, on another occasion, she urged a woman officer to squeeze a colleague's testicles as he gave a piggyback."

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THE BIG PICTURE

EYE OF THE BEHOLDER

By Peter Kuper



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tuate their opposition. These neighborhoods should not fall within the one-mile and five-mile radius of the proposed sites."

A 1992 investigation by the *National Law Journal* unearthed another ugly dimension of environmental discrimination. From 1985 through 1991, the fines handed out by the EPA for violations of federal environmental laws were five to 10 times higher for crimes in white communities than for crimes in black and Latino areas. It's hard to escape the conclusion that, as environmental justice organizer Richard Moore says, "people of color don't have the complexion for protection."

—Jeffrey St. Clair

Where are the homeless when you need them?

THE NUMBER OF CURBSIDE RECYCLING PROGRAMS HAS DOUBLED IN THE past four years. Yet in 1996, aluminum cans were recycled at a lower rate than in 1992, according to a new report from the Container Recycling Institute of Washington, D.C. Based on data from the Aluminum Association and the Can Manufacturing Institute, the report estimates that in the last year, 36 billion cans—more than 500,000 tons of aluminum—were buried in landfills. Those cans had a scrap value of more than $600 million.

But the lost scrap is only part of the picture, says the Recycling Institute's Pat Franklin. Recycling an aluminum can saves up to 95 percent of the energy that is required to produce a new one from raw materials. In fact, the amount of energy needed to replace all those aluminum cans could power a city the size of Atlanta for one year. In countries that have strict recycling laws, such as Sweden, 90 percent of aluminum cans are recycled, as opposed to 63 percent in the United States. —Joel Bleifuss

Old conflict, New School

Students have fasted at the University of California-Berkeley and Columbia University in the last year over affirmative action and ethnic studies. Now the same issues—and more—have embroiled that bastion of liberalism, the New School for Social Research in New York City. In April, protesters at the New School detained administrators, blocked traffic on Fifth Avenue and launched a hunger strike to protest a host of grievances, ranging from Eurocentric curricula to exploitative employment policies.

Co-founded in 1919 by John Dewey, author of *Democracy in Education*, the New School provided refuge for left-wing European intellectuals fleeing fascism in the '30s and '40s and claims to have offered both the country's first African-American studies course (in 1948, taught by W.E.B. DuBois) and the first women's studies course (in 1962).

"That tradition has been completely destroyed by the current administration," charges political science professor Adamantia Pollis, who won a federal sex-discrimination suit against the New School in January 1996.

The central issue in last month's protests was frustration with what student Noelle Williams calls the New School's "revolving door" for faculty of color: They are often recruited for non-tenured, short-term positions, and their intellectual approaches are not integrated into the curriculum. Economics professor Anwar Shaikh points out that for five years running, the Graduate Faculty's Economics Department has nominated two African-American economists for teaching posts, but "the dean has sat on it." Students and faculty members mobilized to stop the door from revolving on Caribbean feminist Jacqueline Alexander, whose three-year teaching contract ends in May. The administration shelved a proposal passed unanimously by the faculty of Lang College, the New School's undergraduate division, to offer Alexander a tenure-track job.

But protesters also see connections between Alexander's case and the university's other questionable employment practices, says part-time writing professor Jan Clausen. For example, the New School hires its security guards through a subcontractor. The mostly black and Latino guards make an average of $5.90 an hour with no benefits, even though the university pays their agency $11.20 an hour. Moreover, part-time faculty carries 88 percent of the teaching load in the institution's seven graduate and undergraduate divisions, usually working year to year with no long-term guarantees. The

Grave turning

Richard Marsh, a University of Wisconsin veterinary pathologist and one of the world's leading experts on mad cow disease, died recently of cancer. In death, as in life, his scientific work is being misrepresented in the press. *Time* magazine's obituary notes that Marsh "sounded an early warning that bovine spongiform encephalopathy, or mad cow disease, could be spread through feed containing cattle by-products." *Time* neglects to mention that Marsh's research indicates that an American version of mad cow disease is probably already spreading through the U.S. cattle population, and that the U.S. Department of Agriculture has done everything in its power to disregard his warnings. —J.B.

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Our own banana republic

THE UNITED STATES HAS COMPLAINED TO THE WORLD TRADE ORGANIZATION THAT THE EUROPEAN UNION IS ENGAGING in unfair trade practices by granting import preferences to bananas grown by former European colonies in the Caribbean. Some observers are scratching their heads over the complaint, given that the United States does not produce bananas, Caribbean nations do not sell bananas in the United States, and no American jobs seem to be at stake. What is at stake, however, is the already fat wallet of Carl Lindner, owner of Chiquita (né United Fruit Co.). "The U.S. Trade Representative would shatter the economic underpinnings of the small island democracies to favor one multinational corporation, which, along with two other fruit giants, controls 70 percent of the world's banana market," Randall Robinson, executive director of TransAfrica, told the Corporate Crime Reporter. "There is no compelling U.S. interest to explain the action." No compelling interest, that is, except for the more than $1 million the *Washington Post* estimates Lindner has given to both Democrats and Republicans in the last four years. —J.B.



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protesters were also embittered by the administration's decision to appeal Pollis' case and steps taken in recent years to exclude students and faculty from decision-making at the university.

Senior university administrators declined to be interviewed for this article. But Kim Taylor, a public relations consultant retained by the university, said "the administration strongly shares the view that we need more faculty of color and is working aggressively to recruit and retain faculty of color."

After meetings with administrators produced little response, on April 9, nine students began a hunger strike for "diversity, democracy and economic justice," which was continuing as *In These Times* went to press. "It's very important for the administration to take this seriously," said Kim Berardi, a sophomore at Lang College, who is one of several hunger strikers whose deteriorating condition has required a trip to the emergency room. "We're putting our bodies on the line, our lives on the line."

New School President Jonathan Fanton made matters worse when he failed to attend an April 16 meeting with a delegation of student and faculty protesters. A group of 100 protesters detained two administrators who did show up, Provost Judith Walzer and Executive Vice President Joseph Porrino, cornering them behind a security desk in the lobby of the university's main building. Walzer and Porrino made phone calls to the president's office and eventually arranged a face-to-face meeting between Fanton and the delegation.

In talks since then, the administration has promised to put teeth in its affirmative action plan, to grant unspecified raises for part-time faculty and to add students to a number of university committees. Protesters, however, counter that most of the university's promises add up to little more than vague commitments to further study. The administration has called for task forces to consider everything from "proposals that address race and non-Western perspectives" to "the possibility of operating the security function directly without an outside contractor."

Meanwhile, many detect in the conflict a more general drift away from the New School's founding principles. The trend toward a "corporate approach" to higher education is everywhere, says Shaikh, as universities become more dependent on corporate and foundation grants. "But it is particularly disappointing in this university with its history."

—Chris Seymour

Rape and workers' Comp

On February 8 and 13, 1994, a manager at Saks Fifth Avenue in New York City was raped by a store security guard. After the first attack, the woman was too traumatized to report the rape. But following the second attack, which led to an emotional breakdown, she reported the crimes to the police, according to her lawyer. The security guard, who was indicted on charges of rape and sexual

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assault, pleaded guilty to the lesser charge of sexual assault and is now in prison.

The woman also filed a $50 million negligence suit against Saks after she learned that the company hired the security guard even though he had two prior convictions for sexual assault on his record. She argued that the rape may have been prevented had Saks done a more extensive background check before hiring the guard. Initially, lawyers for Saks and its insurance carrier fought the woman's lawsuit and argued that the company was not liable for any damages beyond workers' compensation benefits—which only pay medical costs, a fraction of lost wages, and, in some cases, compensation for permanent disabilities such as the loss of an arm or a leg. After battling in court for several months, and facing a boycott threat by the National Organization for Women, local women's groups and political leaders in New York, Saks agreed to settle the case last January for an undisclosed amount.

The Saks case brought much needed attention to the chronic failure of workers' comp laws to protect the rights of sexual-assault victims. Most state workers' comp laws are so-called no-fault insurance programs, under which employees injured on the job give up the right to sue their employer for damages in court. In exchange, employees are guaranteed payment for medical treatment and compensation for lost wages, regardless of who is at fault. Victims' rights attorneys and workplace safety advocates argue, however, that rape and sexual assault are not everyday occupational risks and therefore should not be subject to the limitations of state workers' comp laws.

Many women are being denied basic due process rights by employers and insurance companies that use workers' compensation laws to "shield" themselves from being sued for negligence, charges Rep. Carolyn Maloney (D-NY), sponsor of a bill in Congress that aims to take sexual assault cases out of the sorely inadequate state workers' comp systems. The Employer Liability for Gender-Related Violence Act of 1997 would override state workers' comp laws and allow victims of sexual assault in the workplace to sue their employer for damages in federal court.

"Rape and sexual assault are not all in a day's work!" Maloney declared at an April 13 news conference held in front of the New York State Workers' Compensation Board in Brooklyn. She told reporters that "the U.S. Justice Department estimates that 260,000 women are violently assaulted at their workplace every year, that homicide is the number one cause of death among women on the job, and that 8 percent of all rapes occur on the job."

Saks has now joined Maloney and others in backing the legislation. But not all employers are likely to be as supportive. Any attempt to expand employer liability, especially under workers' compensation laws, is sure to draw stiff opposition from business groups, such as the U.S. Chamber of Commerce and the National Association of Manufacturers, which are currently lobbying for tort-reform legislation that would limit even further employer and manufacturer liability for workplace injuries.

—Ron Bigler

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THE ADVENTURES OF A HUGE MOUTH By Peter Hannan



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THE FIRST STONE

CLEANING UP ELECTIONS

By Joel Bleifuss

Can't afford a congressman? Not sure you'd want one anyway? Think private money has no place in public elections? Half-assed reforms got you down? Then Public Campaign is for you. Backed by $9 million from the Florence and John Schumann Foundation, George Soros' Open Society Institute and the J. Roderick MacArthur Foundation, Public Campaign has plans to jumpstart a citizens' movement to take back America's elections.

"Maybe I am optimistic to a fault, but I sense a hunger on the part of the public for a complete overhaul of the system, not just a nip here and a tuck there," says Ellen Miller, the executive director of Public Campaign, which went public last month. As head of the Center for Responsive Politics, Miller built that organization into the preeminent resource center for money and politics. But after 12 years demonstrating how the current campaign financing system corrupted the political process, Miller decided to do something about it. "There was a need for an activist voice to lead the next wave of reform," says Miller. "And the center, as a research organization, couldn't be that outspoken without compromising its integrity or the integrity of its numbers."

Under the banner of "Clean Money, Clean Elections," Public Campaign advocates a system of public financing similar to that passed by Maine voters last November. Under the Maine Clean Elections Act, beginning in the year 2000, candidates will be able to choose between two campaign financing options: securing private funding on their own or participating in a new system that grants them public campaign money with certain restrictions. Candidates who choose the private money route will be subject to new limits on campaign contributions, with the cap on individual donor and PAC contributions lowered from the current $5,000 to $250 for legislative races and $500 for statewide races. Candidates who opt for public financing would have their campaigns paid for by the state's Clean Elections Fund. To qualify, they must collect a set number of $5 contributions to be deposited in the fund. These candidates must also agree to forgo private donations and observe a shortened campaign season. Their total campaign budgets would be limited to 75 percent of the average amount spent by the winners in the previous election. However, a publicly financed candidate would be allowed to spend as much as double that amount in the event that a privately funded opponent outspends him.

In Maine, public campaign funding would be raised not through taxes but with a voluntary tax checkoff, along with cuts in executive and legislative operating budgets. The administrative costs of the new election system would be borne by lobbyists, whose annual registration fees will double from $200 to $400.

Public Campaign will initially organize at the local and state level to pass legislation like that in Maine. Already, organized campaigns advocating this sort of legislation are underway in 18 states, including Washington, Idaho, Arizona, Missouri, Michigan, Massachusetts and Vermont. Once a national movement for public financing gains ground, the group plans to take on the funding of federal elections.

Miller has already convinced some Senate Democrats that "clean money, clean elections" equals good politics. Sens. Paul Wellstone of Minnesota, John Kerry of Massachusetts and John Glenn of Ohio are preparing to introduce a Public Campaign-inspired "Clean Money, Clean Elections" bill. This legislation will, says Wellstone, provide "a real solution to the systemic corruption that results from a huge imbalance of power between elites and ordinary citizens."

Miller is convinced that the public will rally around a public financing option. "The public support for clean-money campaign reform is counterintuitive. But the public favors broad sweeping reform over incremental ones," says Miller, who reels off poll results backing up her assertion. An April 8 *New York Times*/CBS News poll found, for instance, that 89 percent of respondents supported a complete overhaul of the campaign finance system.

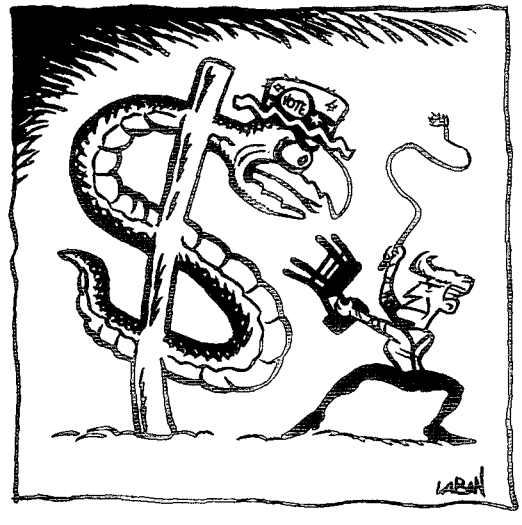
Partisans of the status quo, like Senate Majority Leader Trent Lott of Mississippi, defend the current system of financing elections as "the American way." (And as one wag quipped, "So was segregation.") Such antedeluvian thinking is easy to counter: There is nothing American about buying elections. Public Campaign has had a harder time convincing the leaders of the campaign-reform movement like Public Citizen, Common Cause and PIRG that public financing is the way to go.

The April/May issue of the *Boston Review* explores this topic in a 14-page debate over the Public Campaign proposal. In their introduction to the exchange, which is a joint project of the New Party and the *Boston Review*, editor

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Joshua Cohen and the New Party's Joel Rogers remind readers that "the central problem caused by unregulated private money is not bribery or apparent corruption, but unequal political influence."

That point is underscored in the opening argument presented by Miller, David Donnelly, who was the campaign manager of Maine Voters for Clean Elections, and Janice Fine, of the Northeast Citizen Action Resource Center, which is the organization that laid the groundwork for the Maine initiative. They point out that in the 1996 election cycle, an estimated $1.74 billion was spent by candidates running for federal office. All told, about 20 percent of individual political contributions were given by people contributing less than $200 per candidate. The remaining 80 percent came from those who gave $200 or more per candidate. That elite group of high-end givers comprises less than one fourth of one percent of all Americans.



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Miller et al dissect the existing reform strategies. The McCain-Feingold campaign finance reform bill, for example, bans PACs, which sounds progressive until one realizes that PACs account for only 25 percent of the funding for congressional campaigns. "Because PACs are not the exclusive vehicle for wealthy donors," they argue, "a PAC ban might further slant the playing field; it would disarm labor unions and other interest groups that raise their money from a large number of small contributions from their members. ... If PACs were banned tomorrow, business would simply channel all, rather than most, of its money through large individual contributions."

Sen. Russell Feingold of Wisconsin defends his proposal in his contribution to the exchange. "Reform of our political system will not come in one dramatic stroke, but by patient work and deliberate process," Feingold writes. In fact, he admits that the bill he is sponsoring "is not my ideal bill." The senator attempts to bolster his case by mentioning that his bill has "broad support from organizations like Common Cause, Public Citizen, the Reform Party and the American Association of Retired Persons." Indeed, Public Citizen and Common Cause are both putting their resources into supporting the McCain-Feingold bill.

"It is hard to fight McCain-Feingold, because it does have some good things in it," says Margaret Engle, Public Campaign's communications adviser. "But there are parts of the bill that actually make the situation worse, like raising the campaign limits for individuals." Engle maintains that such a move would increase the power of bundling, the fundraising practice whereby members of the same interest group or corporation get more bang for their campaign bucks by consolidating individual contributions and informally presenting the resulting bounty to the chosen candidate in one big bundle. The practice is impossible to regulate.

More basically, McCain-Feingold suffers from a Beltway blindness that prevents its supporters from seeing beyond Capitol Hill. "It is just thinking in the same little box," says Engle. "It doesn't move us forward."

Even if passed by voters state by state, Public Campaign's "Clean Money, Clean Elections" campaign could still run into legal problems. The Maine Clean Elections Act was specifically crafted to conform to *Buckley vs. Valeo*, the 1976 Supreme Court decision that perversely equates money spent on politics with political speech and hence maintains that laws that limit campaign contributions are unconstitutional. Nonetheless, the American Civil Liberties Union has gone to court to overturn the legislation.

The ACLU argues that the Maine law is coercive because people with money or access to money are shamed into opting for the public financing system. The very name of the Maine Clean Elections Act, the group argues, implies that if you opt out, you are "dirty." Moreover, the ACLU disagrees with the provision of the act that grants a publicly funded candidate more money if he or she is grossly outspent by a privately funded opponent. This provision, the group argues, chills the speech of privately funded candidates. John Bonifaz, executive director of the National Voting Rights Institute in Boston, believes the ACLU has lost its mooring. "Implicit in their argument is the outrageous notion that somewhere in the Constitution there is the right to outspend your opponent," he says.

Feingold, his public interest allies and the ACLU just don't get it. In 1955, Rosa Parks did not get on that bus in Birmingham and think to herself: "My feet are tired, but I'll just stand here and be patient. Those good men in Congress are going to set things right." In other words, the civil rights gains of the '50s and '60s did not happen because folks on Capitol Hill woke up one day and realized that African-Americans deserved constitutional protections.

The question of how campaigns are financed is a civil liberties issue as basic as that which confronted the nation 40 years ago. Last month, the Hollywood Women's Political Committee took their seat at the lunch counter and dissolved their PAC. They get it. In a democratic society, rich people should not be permitted to determine the outcome of elections. On that, there is no compromise. ◀

Public Campaign can be reached at 1320 19th St. NW, Suite M-1, Washington, D.C. 20036, or at www.publicampaign.org. For a copy of the Boston Review*'s special issue on campaign finance, send $4.50 to the* Boston Review, *30 Wadsworth St, MIT, Cambridge, MA 02139.*

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GREAT BRITAIN

In Maggie's closet

Political cross-dressing was not the Labor Party's only option in this year's election.

By Hilary Wainwright
LONDON

Political cross-dressing—from left to right—has become common in mainstream political parties these days. But in Britain, it has taken an extreme form. Tony Blair, the managerially minded young lawyer who has led the Labor Party since John Smith's sudden death in 1994, has done virtually everything short of having the operation to become Mrs. Thatcher.

The first signs of such tendencies were revealed in July 1995, in an address Blair gave at the triennial management conference of Rupert Murdoch's News Corporation (which owns the *Sun*, the top-selling British tabloid, which boasted that its strong support for the Conservatives won them the 1992 election). At the conference, Blair laid claim to Margaret Thatcher's legacy, asserting that only a Labor government could complete her social and economic revolution. "She got certain things right: a greater emphasis on enterprise; rewarding, not penalizing success," Blair told the gathering. "In that sense, Mrs. Thatcher was a radical, not a Tory."

It was a common saying on the British left in the '80s that a Labor government should be "as radical for working people as Thatcher is for the employers and the City." Blair likes to identify himself as a radical—by describing himself as of "the radical center." In his three-year-long campaign for office, he has directed his radicalism not at the ruling establishment but at Thatcher's favorite targets: the trade unions, the labor left and what remains of Britain's redistributive state.

Also in imitation of Thatcher, Blair's "radicalism" is combined with a profound conservatism with regard to Britain's role in the world. Rather than envision Britain as a small offshore island sharing a future with the mainland and rejecting its imperial past, Blair proclaimed in April, in would-be Churchillian style: "Century upon century, it has been the destiny of Britain to lead other nations. That should not be a destiny that is part of our history. It should be part of our future." In a similar vein, he heaps praise upon the British armed forces for their role in the Falklands and Gulf wars.

The winner of the May 1 national elections will inherit a country riven by deep economic inequality. For those at the top of the British socioeconomic scale, the 18 years of Tory rule have been very good indeed. Corporate profits grew from 9 percent of national income in 1974-75 to 20 percent in 1995, thanks to the Conservative attack on trade union bargaining power and the removal of numerous constraints on the private market. Meanwhile, the effective rate of taxation on these profits has dropped from nearly 35 percent in 1980 to 15 percent today. The wealthy prospered at the expense of the poor: The share of national income of the richest 20 percent of the population rose from 37 percent in 1979 to 43 percent in 1995, while that of the poorest 20 percent fell from 9.5 percent to 6.9 percent. In 1979, one child in 10 in the United Kingdom was living in poverty; by 1995, one in three was.

New Labor has rejected changing the economic ground rules that created these social divisions. The party is committed to working within the basic framework staked out by Thatcher on taxation, labor legislation and public spending. It proposes amending this framework rather than reordering it. Blair is a bit like a senior personnel manager, putting a "fair but firm" front on a ruthless downsizing operation dictated by the company's market analysts—in this instance, the much-resented spin doctor Peter Mandelson. With Dick Morris-like attentiveness to polling data, Mandelson has fed Blair a message calculated to win over floating Tory voters in marginal constituencies, the part of the electorate that

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makes or breaks elections under the British first-past-the-post system.

The party is committed to economic discipline—maintaining present levels of low borrowing, low spending, low taxes and low inflation. Trade unions will have a greater chance of recognition and a minimal minimum wage, but little else. Blair boasted in March that under a Labor government, "Britain would still have the most restrictive trade union laws anywhere in the Western world." At the launch that month of the Labor Party's election manifesto, he vowed that he would be "impeccably tough in dealing with the unions."

But Blair does admit that Thatcher went wrong, as he told the Press Association in April, "in being indifferent to the consequences of social breakdown." New Labor's proposed social policies, however, are striking for their extreme modesty in the face of this breakdown. For example, Blair promises to reduce class sizes in primary schools to 30 using money saved by abolishing aid to children attending Britain's expensive private schools. In similarly meager fashion, he proposes to subsidize work for 250,000 unemployed young people—out of 4 million unemployed people in Britain—using a one-time windfall tax on the profits of the recently privatized utilities.

In the absence of a serious attempt to claw back for the poor the wealth that Thatcher bestowed on the rich, New Labor falls back on social authoritarianism. The party has pledged, for example, a "fast track" for the trial and punishment of young offenders. Jack Straw, likely to be Blair's Home Secretary, has advocated nightly curfews for the young, penalties against noisy neighbors, and has made disparaging remarks about "squeegee merchants" and beggars.

The one genuinely radical and democratic part of Labor's program is its constitutional reform package. Jointly negotiated with the Liberal Democrats, the Labor Party proposes to devolve power to a Scottish parliament and Welsh assembly and eventually to assemblies of the English regions; to move to a proportional electoral system; to enact a freedom of information act; to pass a bill of rights; and to abolish the right of hereditary peers (dukes, viscounts, etc.) to vote in the House of Lords. Such a program would have been anathema to Thatcher, who used her prerogatives under Britain's unwritten constitution to centralize power to an extent unprecedented by any post-war prime minister. Blair has hardly even mentioned these proposals in his election campaign, and although he is committed to a referendum on electoral reform, he himself is not convinced of its benefits. This program of constitutional reform, including the referendum on the electoral system, is John Smith's legacy.

How are we to make sense of all this? How are we to understand the future of one of Europe's historically strongest labor movements, whose leader is an attractive but insubstantial cipher for a consensus laid down by a Tory heroine? Has the whole thing been simply a desperate but necessary tactic to avoid a fourth successive defeat? Is it a disciplined but disingenuous strategy, guided by political market research, telling wavering Tory voters more or less whatever they want to hear? Once in office will the young cadre of New Labor produce a genuinely progressive program out of the breast pockets of their power suits?

To decipher the political character of the Labor Party beneath the bland, "Blatcherite" exterior put up for the election, one needs a highly sensitive Geiger counter. Back in 1983, after a divided party suffered a disastrous election defeat, the new leadership under Neil Kinnock—with Peter Mandelson at his ear—blamed the left, rather than the divisions for which both "sides" were responsible, for the loss. The new leaders decided that the only hope of victory lay in exorcising from the party anything associated with the left. The red rose replaced the hammer and pen as the party symbol. "Nationalization," even public ownership, became a dirty word. Neil Kinnock, the great campaigner for banning the bomb, decided the British one was not such a bad idea after all.



From that point forward, and then under Tony Blair with leaps and bounds, the party changed almost beyond recognition from a highly politicized but also deeply divided coalition to a streamlined machine in which every spokesperson is "on message" via pagers linked to Mandelson's minions in the party's Millbank Tower headquarters. For two years under John Smith, the party gave breathing room to the

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different constituencies within its coalition, and Peter Mandelson was politely shown the door. But after Smith's heart attack, Mandelson's man won the top job, and the party was scrubbed of any ideological remnants—on the surface, at any rate.

Political life definitely exists beneath the technocratic surface, but in the run-up to the election, it has been dormant. After the trauma of the unexpected defeat of 1992, thousands of Labor Party and trade union members have been prepared to do almost anything to defeat the Tories. The majority voted for Blair as leader in 1994 because he was packaged as the man who could attract the votes of disaffected Tory "middle England." The membership has let the Blair-Mandelson team do what they like so long as they get Labor back into government.

Once Blair's team laid down its electoral strategy, Labor Party members behaved with extraordinary self-discipline—a reflection in part of the party's origins in the trade unions, with their strong traditions of unity when it is demanded in the face of the industrial enemy. Normally gregarious and outspoken figures such as Ken Livingstone (the very popular radical left leader of the Greater London Council from 1982 to 1986, and an MP since 1987) and Tony Benn (the radicalized leader of the new left in the Labor Party between 1974 and 1981, and now a widely respected elder statesman of the left) have fallen silent during the election campaign. These left stalwarts, however, have not abandoned their radical socialism; rather, they seem to be waiting for the election to be over before stepping back into the political fray. "The six months from the moment the polls close to the Labor conference in October is going to be the most electric and decisive six months in British politics for a generation," Ken Livingstone told the British magazine *Red Pepper* in February.

But how widespread is potential support for the more radical left? Some would argue that such support is weakened by the fact that Blair's sway over the party goes beyond the imperatives of electoral discipline. They claim that New Labor represents a British version of a wider process that most European social democratic parties are undergoing as they adapt to changed international political conditions—global markets, flexible production and the collapse of "actually existing socialism." Under the banner of "modernization," these parties have openly adopted the belief that social justice depends on a thriving capitalist economy.

I would contend—and this is contentious—that while such a process of rethinking has occurred in Britain, it involves no serious vision of another form of capitalism. It simply seeks to ameliorate the uncompromising Anglo-American model. Blair's adoption of so much of Thatcher's program is a sign of the shallowness and tactically driven character of New Labor's rethinking.

One feature—and cause—of the vacuity of New Labor's brand of "modernization" is its philistine treatment of other projects of modernization within the party. Two very different trajectories are relevant in this regard. The one closest to a British version of continental socialism's accommodation with capitalism can be traced back to the publication in 1956 of future Labor cabinet minister Anthony Crosland's classic text *The Future of Socialism*.

This project combined a social democratic tradition and a trenchant egalitarianism and social libertarianism (on homosexuality, cultural censorship, etc.) with a stout defense of the mixed economy and Cold War anti-Communism. The inheritors of this tradition exist in both the Liberal Democrat Party and the Labor Party—the most notable example of the latter is Roy Hattersley, deputy leader to Neil Kinnock, who now finds himself well to the left of Blair.

These social democrats believe in taxing and spending, though they object with equal vigor to the extension of public ownership. It is they, rather than Blair, who would find kindred spirits with continental social democrats. For them, "social capitalism" involves real commitments to providing resources for the socially excluded.

A more radical project of modernization originated among the architects of Labor leader Harold Wilson's failed attempt in the 1964-69 government to modernize British capitalism by spreading "the white-hot heat of technology" through the boardrooms of Britain's financial,

Scottish Labor takes the high road

In Scotland, the struggle for genuine democracy has moved beyond popular pressure. In the early '80s, the Liberal and Labor parties, along with the Catholic Church, the Scottish Trade Union Congress and many civic organizations, held a constitutional convention, at which they negotiated detailed plans for a Scottish parliament with tax-raising powers, elected on the basis of a proportional system and with sovereignty over all matters Scottish.

The momentum for a Scottish parliament is probably unstoppable. New Labor is both unhappy and uncomprehending of its Scottish counterpart, which is the one part of the Labor Party that has not been successfully "Blatcherized."

Scotland could become Tony Blair's Nicaragua: a site across the border in which radical alternatives are being tried and tested. The Scottish National Party, generally to the left of Labor, is likely to do well in the election. Likewise, the Scottish Socialist Alliance, an alliance formed in 1995 of ex-Labor new leftists and direct-action greens, among others, may not be strong enough to do well in the current electoral system, but it could have a significant presence in a Scottish parliament elected under a proportional system.

How far the momentum for constitutional reform will gather beyond Scotland depends on whether radical left traditions in the English and Welsh Labor parties can reassert themselves after election day. —H.W.

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industrial and political establishment. Tony Benn was the most prominent of these technocratic politicians, who were radicalized by their encounters with the deeply anti-democratic British establishment.

Benn and his colleagues decided their best allies were the increasingly radical shop-floor trade unionists who suffered from the arrogance and myopic thinking of this establishment. They developed a more democratic program of industrial and financial modernization that formed the heart of the manifesto of the Labor governments that ruled England between 1974 and 1979. In the end, these policies were deemed threatening to the economic establishment and were defeated by finance capital and leading industrialists. This led to a further process of radicalization within the party, ending in a massive and partially successful struggle in the late '70s and early '80s to make the Labor Party in parliament more accountable to the party outside.

Circumstances today have changed in many ways, but any serious modernizer in the '90s would do well to study this history. However, with the verbal sleight of hand by which whatever Blair does is called "New," these innovative left traditions within the Labor Party have been cast into the outer darkness of "Old"—as in "Old Labor." This crassly simplistic dichotomy very conveniently lumps the Labor new left with those who believed in the top-down state corporation (in fact, Benn and his colleagues at the Institute for Workers Control developed thorough critiques of the nationalized industries); with old Tammany Hall-style corruption (in fact, the battles of the new left in the '70s and '80s was specifically to open up local government); and with the wheeling and dealing of trade union bosses (in fact, the grass roots of the unions—a key component of the new left—has long challenged bossism).

Under Britain's first-past-the-post electoral system, the Labor Party has a virtual monopoly of left political representation. Whereas the new left in Europe, especially in many Northern European countries, has small parties of its own, with all the advantages of an independent voice, the new left in Britain, has been forced to co-exist, more or less, with those politicians whose main aim is winning office and with a labor movement whose main interest is industrial or economic reform. Some virtues have come from this necessity. In particular, it has resulted in an unusually close collaboration between the Labor movement left and the left influenced by more recent social movements—for example, feminism and green politics.

When the left had real influence in the party, for example in the mid- to late '70s, this combination was a source of great practical creativity. That heterogeneous left mapped out ways to modernize socialism that challenged the notion of the state as the sole or dominant mechanism of democratic change in the economy and society. In local governments and briefly, through Tony Benn, in national government, this left experimented with a variety of ways in which civic organizations supported by the state could provide more democratic services and develop socially useful and responsible production. It also has addressed issues of state power and industrial and trade union policy in an unusually practical way.

These experiments were dealt severe blows by Thatcherism. The abolition of the Greater London Council in 1986, the emasculation of local governments' resources throughout the '80s and the defeat of the more radical unions such as the miners' union all pulled the rug out from beneath this new left's feet. But these defeats, by and large, were not intellectual or moral in character, but matters of material power. Moreover, Britain's new left in general has strong roots in traditions which never followed the Soviet model. Hence, it has not been thrown on the defensive by the collapse of Soviet Communism to the extent, for example, of the French and Italian left.

Although the forces behind this rethinking on the left have been marginalized in the past three years, their ideas and self-confidence are still likely to surface after the elections, inside and outside the Labor Party. In Scotland, for example, the new left never was defeated (see sidebar, page 16).

Nevertheless, the left in Britain is a scattered force today. Those still struggling within the Labor Party see new opportunities opening up, but many of the erstwhile Labor new left have abandoned the party. A new generation of daring and imaginative activists is emerging firmly outside the Labor Party though with the support of many on the Labor left. These green and libertarian people have moved beyond stopping road construction for social and environmental reasons and holding raves—parties have become an issue ever since loud music was banned by the Tories' Criminal Justice Act in 1994—to a wider concern with social justice and social exclusion. In the middle of the election campaign, these "direct action" or "do-it-yourself" activists joined with militant trade unionists—dockers, printers and public sector workers—on a 20,000-strong march for social justice in London.

Once in office, Blair will face a nascent, and heretofore unlikely, coalition of egalitarian social democrats, radical leftists and a growing movement of disaffected young people outside the mainstream political system. Just as Mrs. Thatcher's abuse of Britain's unwritten constitution led eventually to the poll tax riots that paved the way to her downfall, Blair's abuse of his members' good faith—combined with the fact that under Britain's electoral system they have nowhere else to go—is likely, sooner or later, to produce a reaction. Either Blair will make concessions, which could lead to a re-constitution of Labor's coalition, or he will resist. Under a proportional electoral system, this resistance could lead to the break-up of the coalition and the possibility of a direct electoral voice for the new left. But perhaps election fever is making me dream. ◁

Hilary Wainwright is the editor of *Red Pepper*, a bimonthly radical left magazine published in London.

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HEALTH CARE

Singing the blues

The nation's Blue Cross/ Blue Shield plans are privatizing, leaving the poor and sick with even fewer insurance options.

By Jeffrey L. Reynolds

Baseball, apple pie and ... Blue Cross/Blue Shield? Adding an insurance company to the list of long-standing American traditions might sound like a stretch, but it's really not. Since their modest post-Depression inception as grass-roots nonprofit cooperatives, the nation's Blue Cross and Blue Shield health plans have proliferated to become the country's dominant health insurer. Today, more than 60 million Americans depend on the same familiar twin trademarks that protected their grandparents, and that have come to symbolize the Blues' social mission to provide comprehensive, affordable coverage to all comers.

While commercial insurers "cherry-picked" only the healthiest and wealthiest customers, the Blues traveled the charitable high road, serving as the "insurer of last resort" for the elderly, sick and poor in many states. The Blues aimed to do good, and they did very well, thanks to a lucrative package of publicly financed tax exemptions, regulatory waivers, direct subsidies and preferential hospital rates that rewarded and made viable their unique social consciousness.

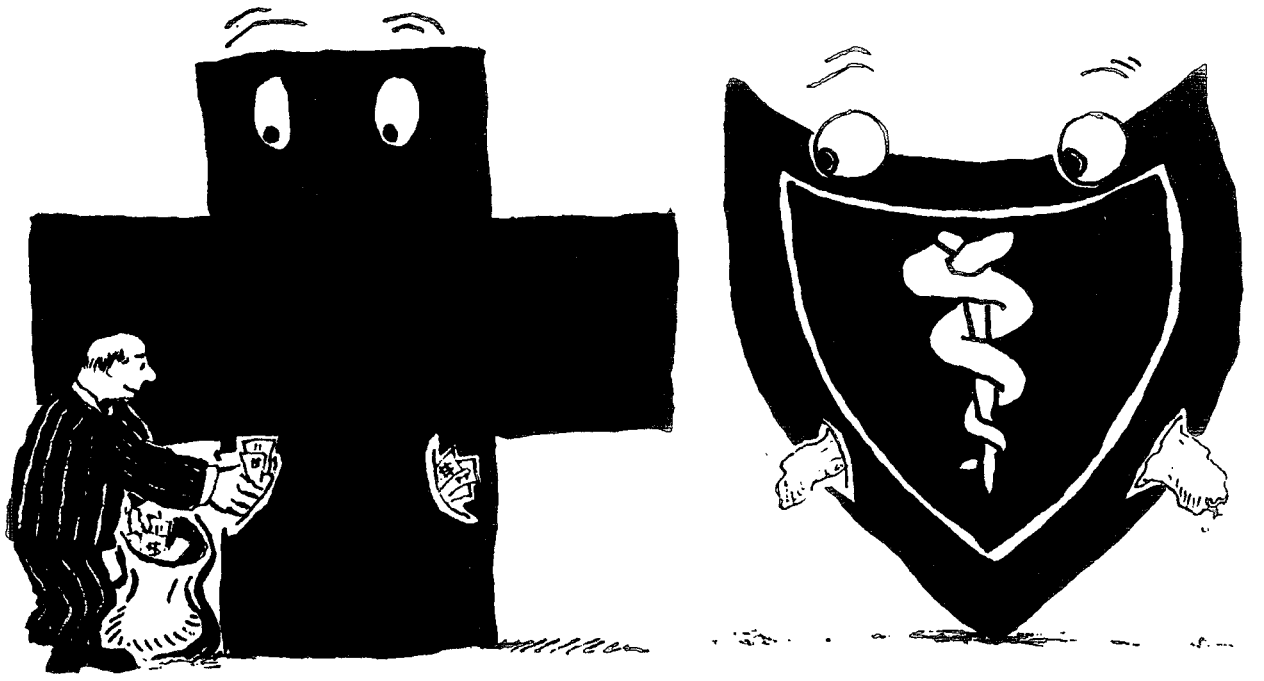
This arrangement fueled the Blues' explosive growth for several decades. Everything started to unravel during the Reagan years, however, when lawmakers decided the Blues were getting a bit too successful and used the hotly debated Tax Reform Act of 1986 to eliminate the federal tax exemption for the 80-plus Blues. Though the Blues now had to pay federal taxes, they did so at a rate lower than their corporate brethren—an important caveat that helped keep all but Blue Cross and Blue Shield of Wisconsin from immediately giving up their nonprofit status. Still, it was this relatively obscure change that helped set the stage for states to reconsider, and eventually eliminate, the Blues' direct subsidies and preferential hospital rates. At the same time, states enacted measures to curb insurance discrimination by the for-profit insurers, so the sick would not have to fall back on the Blues for coverage.

In theory at least, these changes leveled the playing field. But they also opened the way to no-holds-barred competition. By 1994, the nation's Blue Cross and Blue Shield plans were being forced headlong into a managed-care marketplace that is making nonprofit health care as obsolete as mom-and-pop corner stores. About a third of the nation's Blues plans have had to merge or undergo major restructuring to survive, and most of the rest—including the nation's largest, Empire Blue Cross and Blue Shield in New York—are in a freefall toward insolvency that threatens their ability to pay claims and retain the prized trademark. Over the years, the number of Blue Cross and Blue Shield plans has dropped steadily; there are now 59 nationwide.

Dr. Michael Stocker, Empire's president and CEO, is widely credited with rescuing the insurance giant from the stunning mismanagement that plagued it in the early '90s. For him, survival means leaving behind 63 years of charitable service and becoming a for-profit company. "For Empire to move into the next century, we must aggressively compete in this market as a participant in the managed-care arena. And in order to do that, we need access to capital," he told state lawmakers at an April 11 public hearing on Empire's proposed conversion to for-profit status. "As a nonprofit company, our access is limited to two sources: our reserves or the debt market. Neither of these alternatives provide us with a viable option of accessing capital. If we are focused solely on internal funding sources, we are at a competitive disadvantage, because we could only raise premium rates to get it."

Privatization, though controversial, is not exactly an orig-

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inal idea. Since the national Blue Cross and Blue Shield Association gave the green light for such conversions in 1994, Blues in at least 32 states have evaluated the possibility of trading their nonprofit status for a chance to join the endless procession of HMOs, hospitals, clinics and nursing homes venturing into today's freewheeling world of megamergers, acquisitions and stock swaps.

Blue Cross and Blue Shield plans in California, Georgia and Virginia, for example, have recently transformed themselves into investor-owned entities, and two dozen others—including Empire—have proposed or are in the process of similar conversions. For millions of current policyholders, these transformations will mean a tortured foray into a tangled web of "gatekeepers," "capitated rates" and other euphemisms that hide the ugly realities of managed care. In a larger sense, they signal the impending extinction of charitable and once powerful insurers and their reemergence as entities that now exist to make a profit. Still, given how inevitable the shift seems to have become, the question at the heart of the fiery debates raging in several states is not whether the Blues should convert, but how best to preserve the public's interest as they do.

"At stake in such conversions is nothing less than the community's health care," says Charles Bell, programs manager for Consumers Union, the nonprofit watchdog that is monitoring conversions nationwide. Among the questions he says must be answered: What health services will receive priority under the new for-profit operation? Which services will be continued and expanded? Which services will be reduced or eliminated? What would happen if the new for-profit is sold, merged or transferred to new owners? What happens if the insurer becomes insolvent? What happens to the nonprofit's charitable assets, and how much are they worth?

Right now, this last question is winning the attention of legislators and cash-strapped charities. The remaining nonprofit Blues now hold $60 billion in charitable assets and $10 billion in reserves. According to state and federal laws, any of these nonprofits planning to convert must transfer their assets and reserves to charitable endeavors serving similar purposes. While these assets may not be enough to save the nonprofits from insolvency, they are a powerful lure to prospective investors and even the Blues' own executives.

Not surprisingly, a long litany of horror stories has already begun to emerge. In California, for example, Blue Cross executives quietly proposed a conversion that severely undervalued the corporation's assets and would have distributed a meager $100 million to a nonprofit foundation. A multiyear battle ensued, and after intense negotiations with advocacy groups and state legislators, Blue Cross agreed to create two new health care foundations—this time with a more impressive $3.3 billion endowment.

Regulators in Missouri weren't as sharp. They napped through a fiscal sleight of hand in which Blue Cross and Blue Shield quietly dumped $434 million from its nonprofit unit into a for-profit subsidiary. Consumers Union picked up the scam and embarrassed state regulators into taking an aggressive stance against the move—a stance that a Missouri court later upheld in a landmark decision.

Consumer efforts in Georgia were less successful. A bill drafted by Blue Cross and Blue Shield sailed through the state legislature, enabling a for-profit conversion without transferring any assets back to the public as the original stockholder, despite existing state law to the contrary. Both the attorney general and the insurance commissioner stood by as Blue Cross, claiming that the new legislation pre-

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empted any public obligation, sold preferred shares in the company to private investors for roughly $50 million in exchange for an anticipated 20 percent to 40 percent annual return. Why were state regulators silent? An investigation by the *Atlanta Journal Constitution* revealed that Georgia's insurance commissioner had received campaign contributions from an investor group that wound up receiving a $40 million piece of the new for-profit. Georgia Blue Cross policyholders each received five shares of common stock, while the public got absolutely nothing.

In Ohio, state regulators recently rejected a $299.5 million bid by for-profit hospital giant Columbia/HCA Healthcare Corp. to gobble up that state's Blue Cross and Blue Shield plan. Similar battles are underway in Colorado and Washington, D.C. The outcome in each state seems to depend largely on the steadfast vigilance of regulators and consumer groups.

"I think there's no question that we're in a better position than most other states, but there's always room to go astray," says Karin Timour, director of New Yorkers for Accessible Health Coverage, a coalition of voluntary health organizations working in partnership with Consumers Union on the Empire conversion.

If the plan is approved by the state Attorney General, the superintendent of insurance and other regulators, Empire would transfer its assets, liabilities and current business to its existing for-profit subsidiaries in exchange for capital stock. All of the stock would be transferred into a new charitable foundation that would fund health care programs for the needy through public stock offerings. An initial offering is scheduled for this fall, and according to national Blue Cross and Blue Shield association rules limiting voting interests in the plans, subsequent offerings must reduce the foundation's ownership interests in the for-profit subsidiaries to 5 percent within five years.

CEO Stocker promises Empire execs will not get golden parachutes as a result of the proposed transaction and that the newly created foundation will be wholly independent, with no overlap between its board of directors and that of the for-profits. In crafting the proposal, which so far has been released only in summary form, Stocker says his team, "looked closely at what other plans had done—what they had done right and, particularly, what they had done wrong—in an effort to ensure that whatever action we propose was right for Empire and for all New Yorkers."

Though Charles Bell of the Consumers Union calls the plan "a big step forward in the natural evolution of conversions," he also believes there needs to be "a stronger presumption toward the public's right to know." State legislators, concerned about the fate of both Empire's 4.5 million subscribers and the estimated $1 billion that will wind up on the table, agree. "I think a consumer who reads about this in the paper ought to be able to open a book and see what the rules are, but they won't see that," says Dick Gottfried, who chairs the state Assembly's health committee.

So far, only California, Colorado and Nebraska have passed laws to govern the steady stream of nonprofit conversions that are likely to occur over the next decade. Consumers Union has drafted model legislation that closes potential loopholes by explicitly defining the kinds of transactions that constitute a conversion, mandating tougher regulatory-review requirements and outlining a process for greater public scrutiny.

Lawmakers in several states, including New York, are looking at the draft and contemplating their role in the Wall Street blitz that is reforming health care in a way their Capitol Hill counterparts could not. For now, big business has prevailed. If state governments don't intervene, a six-decade tradition of affordable insurance will go up in smoke and 30-something insurance executives will turn into overnight millionaires. ◀

Jeffrey L. Reynolds is director of policy for the Long Island Association for AIDS Care.

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MEDIA

The digital TV heist

The FCC plan to hand the digital spectrum over to corporate media giants is an indefensible giveaway.

By Robert W. McChesney

On April 3, the Federal Communications Commission approved a plan to provide for the transition to digital television. Under the plan, each existing broadcaster would be given six new megahertz of spectrum for digital transmission. This is in addition to the portion of the spectrum that they now use for analog transmission. In essence, a public resource, valued between $20 billion and $100 billion, is being handed on a silver platter to some of the largest media firms in the world—General Electric (NBC), Westinghouse (CBS), Disney (ABC) and Rupert Murdoch's News Corporation (Fox). Technically, the new spectrum is not a gift. It comes in the form of eight-year licenses. But license renewal is virtually automatic: Once granted, broadcast spectrum has never been reclaimed from corporate users.

After all the stations have switched to digital and most Americans have digital TV sets or converters that will enable them to receive digital signals on their existing sets, the FCC is supposed to reclaim the spectrum now used for analog broadcasting and auction it off to other kinds of users. The process is expected to take anywhere from seven to 10 years.

On the surface, the arrangement seems benign, and that is exactly how some members of the FCC and the National Association of Broadcasters (NAB)—the commercial broadcasters' lobbying organization—want us to see it. The American people will benefit, they tell us, from the vastly higher picture and sound quality of "high definition" television. Indeed, NAB President Eddie Fritts calls the plan "a birthday present" to the nation's consumers.

In truth, the plan ranks among the most indefensible giveaways in American political history. As conservative pundit William Safire notes, "The rip-off is on a scale vaster than dreamed of by yesteryear's robber barons." Perhaps most egregious, these firms may be allowed to sell their new digital licenses at huge profits.

Digital broadcasting holds vastly greater potential than its analog predecessor. First and foremost, digital technology permits each existing broadcaster to create four to six channels in their six megahertz of spectrum—the amount now needed to broadcast one signal. But that's not all. Digital TVs will also be easily accessible to the Internet, and numerous other interactive uses loom on the horizon. As FCC Chair Reed Hundt acknowledges, "everything will be different" with digital television. "The change is so extreme," he says, "that many people have not grasped it."

With the advent of digital TV, every community that currently has four to seven over-the-air TV stations may soon be able to receive 20 to 50 stations. For the 35 percent of U.S. TV households that do not get cable or satellite television, this alone would be a striking change. Yet these 20 to 50 stations will be owned by the same people who now own the existing stations. For instance, Rupert Murdoch's News Corporation—which now owns 22 stations in the largest markets—could have as many as 100 channels.

The giveaway highlights the political muscle of corporate communications firms and the NAB—the lobby that Republican Sen. John McCain of Arizona calls the most powerful he has encountered in his 14 years in Washington. The four firms that own the major networks, plus Time Warner, owner of major television properties, gave more than $3 million in "soft money" to the Democrats and Republicans in the 1995-96 election cycle. The broadcasters' power is based not only on their great wealth, but also on their ability to defeat members of Congress who dare to get on their bad side by opposing their interests. If push comes to shove, we can expect broadcasters to run "scare" ad campaigns to

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mobilize viewers to protect "free" television from regulation.

The digital spectrum plan reflects the stark limitations of the FCC as a body that supposedly represents the public interest. It also reveals the sheer corruption of the 1996 Telecommunications Act, which authorized the giveaway. Arguably among the most important laws of this generation, the Telecom Act was prepared in nearly complete secrecy and a virtual blackout in popular press coverage. It was a bill written by big business, for big business. The law's overarching purpose was to pave the way for the eventual deregulation of all communications industries. Rejecting the notion that there is a public interest in communications besides corporate profit-maximization, Congress debated only who would get the most breaks in the final version of the law—cable companies, broadcasters, Baby Bells or long-distance carriers. A few crumbs were tossed to "special interest" groups like schools, libraries and hospitals, but only when they didn't interfere with the pro-business thrust of the legislation.

Digital TV may well have been the new law's most outrageous feature. With no publicity or debate, the NAB was able to insert a clause in the draft of the act requiring the FCC to allocate digital spectrum slots to the existing broadcasters at no charge. When this leaked out prior to the law's passage, it caused such an uproar that then Sen. Bob Dole felt compelled to call it "a handout to the rich, the powerful." He said he would not permit the bill to pass unless the clause was removed. But the communications firms moved quickly, mobilizing their army of lobbyists to lean on members of Congress to prevent a congressional debate on communications policy during an election year. As a result of their pressure, Dole received sparse support from his colleagues and caved in when the FCC asured him that it would not proceed with the digital allocation until Congress had a chance to revisit the matter. Then Dole quit the Senate to concentrate on his presidential campaign. His successor as Senate majority leader, Trent Lott of Mississippi, along with other key congressional figures, informed the FCC that Congress had no interest in the matter. And the matter died. All the key congressional leaders—Democrat and Republican, liberal and conservative alike—except for the iconoclastic McCain, were now advancing the NAB's position.

Although the Telecom Act advised the FCC to provide free spectrum for digital use to the existing broadcasters, it left open how the FCC should implement the policy. The FCC could have required stringent public-service requirements as a condition for the digital licenses, but in the end the only concession the FCC wrangled from the broadcasters was that they would speed up transition to digital. This, however, benefitted no one but manufacturers of digital TV sets and production equipment.

The FCC's performance followed a pattern established when the federal agency was formed in 1934 to regulate broadcasting and telephone communications. An appointed body of five members (no more than three of whom can be from one political party), the FCC acts in near-secrecy and almost always defers to the powerful communications lobbies that monitor its activities like vultures. There have been intense policy debates at the FCC, but they have almost always arisen as a result of disagreements among powerful communications firms or sectors—local telephone versus long-distance telephone companies, cable versus over-the-air broadcasters, and the like.

Historically many members of the FCC have gone on to lucrative careers in the communications industries, and a significant percentage of the FCC's members have been unabashed boosters of the firms they were ostensibly regulating. Two of Hundt's three predecessors as FCC chair—Mark Fowler (1981-87) and Dennis Patrick (1987-91)—have used their FCC contacts and experience to become millionaire entrepreneurs in wireless communications, while the other—Al Sykes (1991-94)—is an executive in the Hearst media empire. Current FCC members James Quello and Rachelle Chong are described (off the record) by FCC watchers as flat-out bagmen for the NAB.

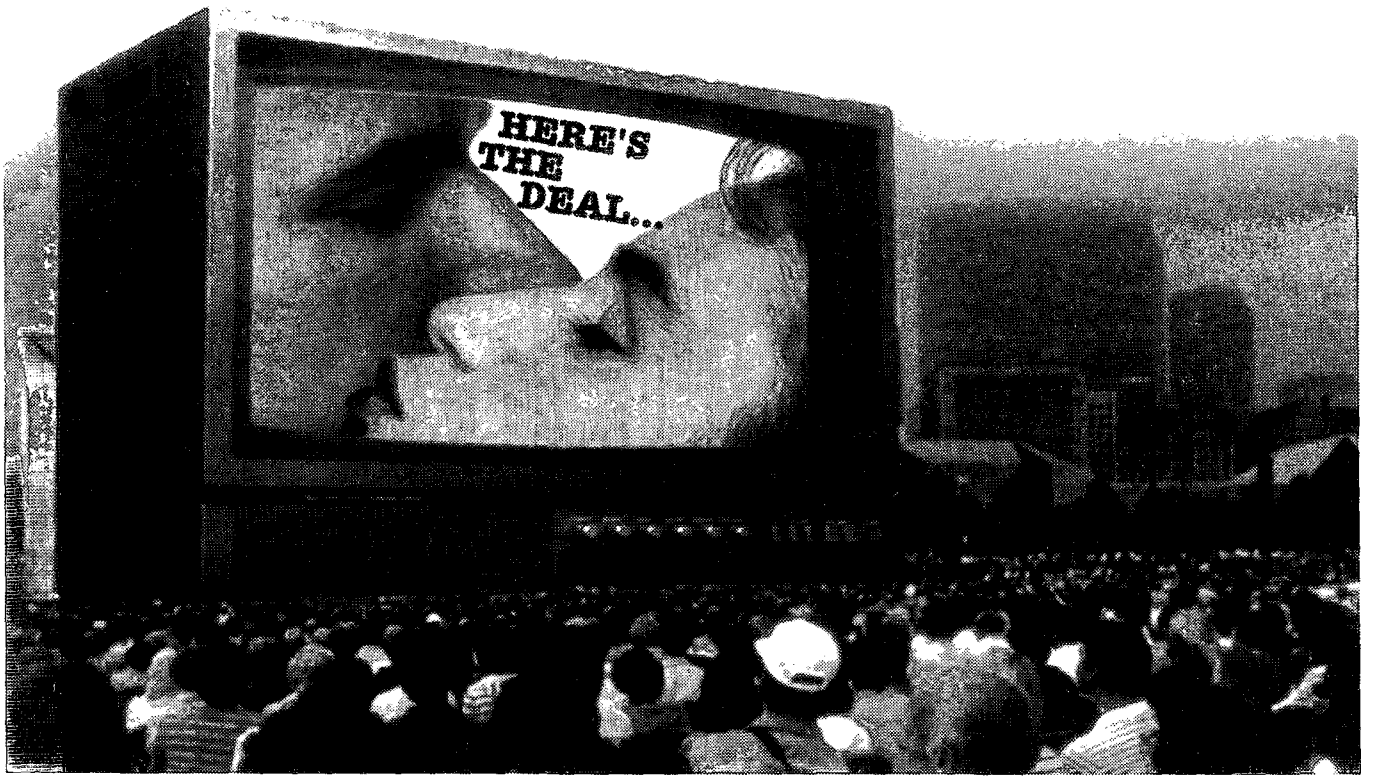
But over the years, some FCC members—such as Clifford Durr, Freida Hennock, Newton Minow and Nicholas Johnson—revealed strong commitments to public service. These progressives had some clout. On the current FCC, Chairman Hundt is the closest to that progressive tradition. Not too long ago, Hundt characterized the digital spectrum giveaway as "the biggest single gift of public property to any industry in this century." And of the currently sitting commissioners, Hundt alone has championed the notion that broadcasters have important public-service obligations to society. But broadcasters' lobbies and politicians from both parties severely limit what even the best-intentioned folks at the FCC can accomplish.

The NAB defends its right to free spectrum on several counts, all of which are dubious. It argues that the cost of switching to digital production and transmission will be so great that it would be onerous to expect the broadcasters to also shell out for spectrum. But why should the government assume the risk for this industry's investment? And if it does assume this risk, shouldn't the general public also be reimbursed for the $150 billion it will have to spend to purchase digital TV sets or converters for existing analog sets?

The NAB and its allies in Congress and on the FCC also claim the plan is not a giveaway because the FCC is merely "lending" new spectrum while the move to digital is underway, at which point it will reclaim the analog spectrum from the broadcasters. But in view of the immense commercial potential of digital broadcasting in comparison to analog, it is not an even trade. Moreover, it raises the question of why the broadcasters were given the current analog spectrum for free in the first place, while other corporations have had to purchase the right to use non-broadcast spectrum for activities such as wireless telephone communications.

NAB officials answer this question in a couple of ways. First, they claim that unlike other communications firms that use the spectrum, broadcasters do not charge the public

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for their product. But the public does pay—and dearly—for "free" television. Not only do we have to suffer through 16 to 20 minutes an hour of commercials, but we pay the cost of this advertising in increased product prices. The basic function of commercial broadcasting is to turn viewers into consumers. "We are here to serve advertisers," Westinghouse (owner of CBS) CEO Michael H. Jordan said in a recent interview. "That's our raison d'être."

Second, the NAB and its allies justify the broadcasters' free use of the spectrum by citing their "public-service" programming. According to this argument, broadcasters provide programming in the public interest that they would never do if, like other kinds of communications firms, they were merely profit-maximizing entities. This was the historical justification for the practice of assigning broadcast licenses at no charge. In the '30s and '40s, broadcasters' "public-service" obligations were satisfied by noncommercial programs on the 40-odd percent of the schedule that advertisers shunned. But by the '60s, advertisers were buying time all day long, and public-service programs pretty much disappeared, except for the boring low-budget talk shows on Sunday mornings and late at night. By the '70s, advertisers bought even these time slots.

The FCC has the authority to require commercial broadcasters to provide time for various forms of public-service programming. Yet the best Hundt was able to do was to include a caveat to the April 3 deal reserving the right for the FCC to develop future public-service regulations for digital broadcasting. In conjunction with the FCC's digital TV plan, President Clinton authorized the formation of a 15-person commission to study the matter until July 1998, at which time it will recommend public-service obligations for commercial digital broadcasters.

But it is hard to be optimistic about the chances of this presidential commission doing what Congress and the FCC have not been able or willing to do to date. An example of these "realistic" public-service obligations came in 1996 when the FCC negotiated a deal with commercial broadcasters requiring them to air three hours of children's programming per week. While this might sound like a dramatic gain, the illusion fades when one realizes tthat these three hours of kids' TV will be advertising-supported. Commercial kids' TV puts selling ahead of all else. As the *Wall Street Journal* observes, some advertisers considered this "educational" deal a potential "marketing bonanza" that will simply increase access to the "littlest consumers."

Moreover, by giving away the digital spectrum before establishing a public interest standard, the FCC has lost most of whatever leverage it might have had in negotiations with the industry. In the current political environment, the only remotely substantive public-service principle under consideration—requiring free air time for political candidates—will probably get through only if it does not damage the billion-dollar-per-election TV political advertising cash cow.

The main alternative to the FCC's digital giveaway, advocated by Sen. McCain and by Bob Dole during his run for president, is the idea of selling the digital spectrum through auctions. This is a good idea as long as the auction is for eight-year leases and not for permanent ownership. That is the current practice, but there is strong momentum on the political right to sell outright this public property in order to generate more immediate revenue.

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President Clinton, as part of his own budget-balancing plan, is similarly counting on auctioning off the analog spectrum—now used for broadcasting—when the transition to digital is completed early in the next decade. But selling off spectrum is disastrous public policy. The public's right to control its media and communication system would be permanently sacrificed for a one-time cash infusion. The superior alternative is to lease spectrum, broadcast and non-broadcast alike. In broadcast alone, this would generate $2 billion to $5 billion per year indefinitely, while preserving the right of future generations to determine how to use the spectrum. And because broadcast spectrum is controlled by a handful of corporations, the public must maintain its right to enforce public-interest obligations over these commercial users.

In the near term, the prospect for media reform is dim. There are a handful of excellent media groups that monitor FCC and congressional activities and fight to protect public interest principles: the Center for Media Education, the Benton Foundation, the Minority Media and Telecommunications Council, the Center for Study of Responsive Law, and, perhaps most important, the Media Access Project, to mention some of the more prominent organizations. But there is only so much they can accomplish in the current political climate.

The core problem is that the existing choices are unacceptable. The range of permissible debate must expand beyond the alternatives approved by the NAB and the corporate media. For example, why assume that corporate media giants are entitled to huge slots in the digital future? Even if they get single channels, why must they be given all of them? And why not examine publicly all the alternative uses of digital technology, rather than permitting the media giants to only develop those applications that serve their interests? And why are we limited to devising plans to increase advertising-supported educational programming aimed at kids? In a sane world, the very notion of advertising to children should be subject to withering public debate.

Why not use spectrum fees to establish a fully funded public radio and television system? For $5 billion annually, the United States could generate a noncommercial broadcast system of extraordinary range and quality. (The entire federal subsidy for public broadcasting this year is $260 million.)

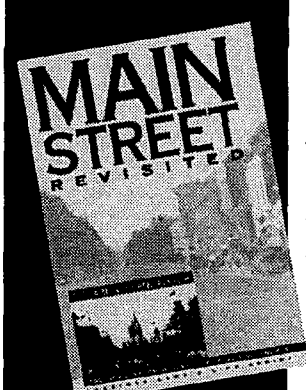
These ideas deserve discussion at the open public hearing that the NAB and its allies have done so much to prevent. Yet none of these ideas is getting any attention because of the vise grip the corporate media have over politicians, the FCC and the terms of debate on media issues.

The most important job, then, is to generate public awareness and interest in media issues. (Common Cause has published a superb pamphlet on the digital giveaway, *Channeling Influence: The Broadcast Lobby and the $70 Billion Free Ride*, that is available on its website, www.commoncause.org.) As long as issues like digital TV are being determined by elites behind closed doors, the nature of the policies is pretty much a foregone conclusion.

The general organizing principle must be to repeal the bankrupt and fraudulent 1996 Telecommunications Act and replace it with a law that provides for citizen participation on the crucial communications issues. Progressives must put media reform at the top of their agenda because without it, the prospects of democratizing our society are slim. Fortunately, many groups expressly committed to this project have blossomed over the past few years, including the Cultural Environment Movement, Fairness & Accuracy in Reporting and the Institute for Alternative Journalism, which, among other things, has organized the Media and Democracy Congress. But there is precious little time to waste as the digital window begins to close. ◀

Robert W. McChesney teaches journalism at the University of Wisconsin. He is the author of *Corporate Media and the Threat to Democracy* (Seven Stories) and co-author, with Edward S. Herman, of *The Global Media: The New Missionaries of Corporate Capitalism* (Cassell).

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EDUCATION

Sniffin' in the boys' room

In a new wave of anti-drug hysteria, schools are subjecting students to constitutionally questionable searches.

By Evan Halper

February 6 was shakedown time at Galt High School in California's Central Valley. A vice principal, accompanied by a drug-sniffing dog and its handler, walked into the sixth-period criminal-justice class and demanded that everyone leave their hats, jackets, bags, books and other belongings behind and exit the room immediately. The class—which, ironically, had been engaged in debate over such searches—was about to learn firsthand just how little regard the U.S. Supreme Court has for their Fourth Amendment rights.

Several students asked to remain in the room to observe the inspection, but their request was summarily denied. Even teacher Michael Millet was ordered to leave his belongings and get out. The door was then shut and the blinds drawn for 15 minutes. When the search was over, the vice principal singled out student Chris Sulamo—in front of the entire class—as the owner of a bag seized upon by the dog. Sulamo was sent to the principal's office, along with Jacob Reed, a student who had refused to leave his things in the classroom.

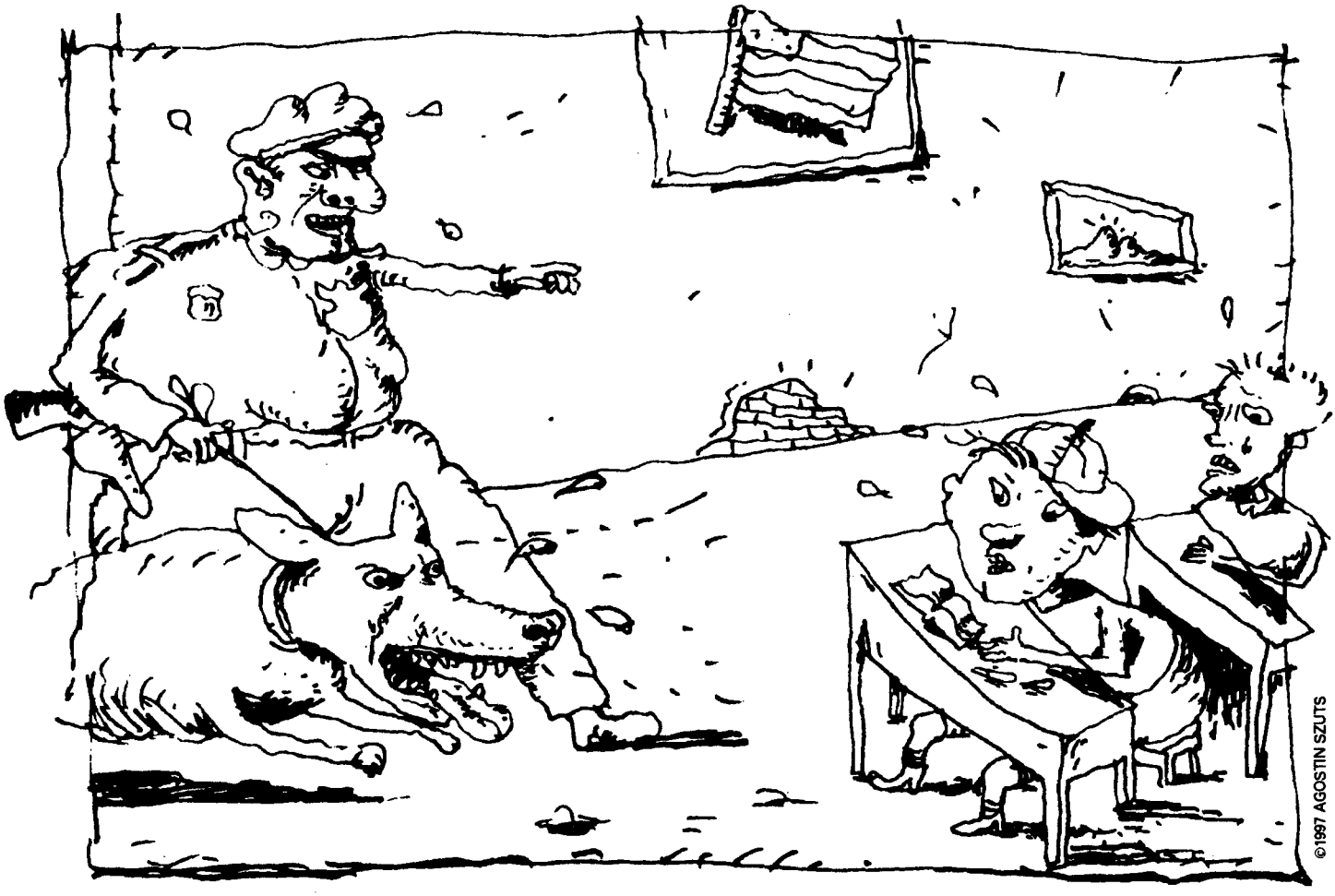
The dog and its handler had no police certification. They belonged to Interquest, a Houston-based company that sends dogs to public schools nationwide to sniff the belongings of more than a half-million students. It was the Interquest handler, not a police officer or school official, who began searching Sulamo in the vice principal's office. She went through his jacket and other belongings, finding nothing. She even flipped through the pages of his notebook, looking for evidence of "gang signs." Sulamo finally had enough and demanded that a police officer be present if the search were to continue. In the presence of a cop, the principal put his hands in Sulamo's pockets, checked his socks and even took apart his pens. Still no drugs turned up. The school suspended Sulamo anyway—for three days—for using foul language.

Meanwhile, in a separate room, a second vice principal was badgering Reed to agree to a similar search. After resisting for several minutes, Reed submitted under protest. The vice principal found no contraband. Back in the classroom, a lot of unhappy students returned to belongings soaked in dog drool.

The American Civil Liberties Union filed a lawsuit in March on behalf of Galt High School students Reed and Sulamo and their teacher Millet. The plaintiffs contend that sniff inspections requiring students to leave their belongings in a closed room are an illegitimate seizure. They also challenge the premise that drug dogs are reliable. The ACLU has a good shot of winning at least the first point, but has no illusions of getting the dogs off school property altogether. For one thing, the searches seem popular. Michael Millet reports that most teachers at Galt oppose his court challenge to sniff searches, and some even advocate searches of the staff's belongings as well. Neither the National Education Association nor the American Federation of Teachers would comment on the matter. The California Teachers Association considers it to be a nonissue. On the whole, even the Galt student body doesn't seem particularly bothered. A survey by the Galt student newspaper found students evenly divided on the subject. In fact, some students have criticized Reed for challenging the school's authority.

In 1983, a U.S. appeals court in Texas ruled definitively in *Horton vs. Goose Creek School District* that the use of drug-sniffing dogs on a public school campus is reasonable,

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as long as the dogs are not used to sniff students themselves. The court stated that schools did not need to demonstrate probable cause in order to conduct such searches; in effect, every student could be considered a suspect. The U.S. Supreme Court decided against hearing the case, but in its 1995 *Veronia vs. Acton* decision, it ruled that mandatory drug testing of student athletes is acceptable. During oral arguments, Chief Justice William Rehnquist offered a glimpse into the court's narrow thinking on the issue when he commented, "How much privacy is there in a boys' locker room, with a bunch of urinals lined up against the wall, and guys walking naked from the showers to the lockers?"

Together the *Horton* and *Veronia* rulings paved the way for more widespread drug searches on campuses by zealous school officials. Interquest alone services more than 4,000 schools, and the police have been invited to hundreds more. In April 1996, a dean at Conway High School in Conway, Ark., strip-searched all the female high school students enrolled in a credit course at a local hair academy after an employee reported $64 missing from her wallet. Students were not allowed to call their parents, and the search involved the dean putting her fingers inside the students' undergarments. Last October, after a locker search came up dry, administrators at Sierra High School in Quincy, Calif., ordered a group of students to walk past police dogs in single file. No drugs were found.

Aware that such searches push the limits of legality, many school districts are taking steps to ensure that their drug searches are considered "voluntary" under the law. At the suggestion of District Attorney Stephanie Anderson, a number of schools in Cumberland County, Maine, now forbid students to park on school grounds unless they sign a waiver allowing school officials to search their cars. Some districts even forbid students to bring their bags into school buildings unless they waive their right to refuse a search.

Skeptics argue that there is no evidence that dog searches and other detection programs have contributed to a decline in student drug use. Interquest agents find contraband in fewer than 20 percent of their canine "alerts." Yet in the face of recent surveys indicating increased drug use among teenagers, even enlightened administrators have turned to the dogs. Dennis Vogel, who is widely recognized for developing creative drug-education programs for the Springfield School District in Massachusetts, admits that police dogs turned up drugs only in the first few searches at his schools. Nonetheless, he believes they set the right tone. "The bigger concern is the health and safety of the larger community, and the feedback we get is positive," he says.

For its part, Interquest does an excellent job of stoking

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the public's fears—and allaying the suspicions of those who regard them as a rental Big Brother. The company purports to work as an arm of school administrations, not a law-enforcement entity. In contrast to the intimidating German shepherds and Doberman pinschers favored by most police departments, Interquest uses only Labrador and golden retrievers specially trained to "gently paw" at suspicious items. Before the company places its dogs on a campus, employees introduce students to the cuddly creatures at school assemblies. (Before hiring Interquest, Galt High School was working with another company, which it promptly dropped after the presenter at one such assembly swore at a group of rowdy students.) Interquest even pushes the program on elementary schools as a way to get students used to the presence of dogs at an early age.

"People always look at this as a police state and Gestapo issue," says Mike Ferdinand, a vice president at Interquest. "But we don't see what school administrators see on a daily basis. ... They have very few tools they can use. DARE programs are failures."

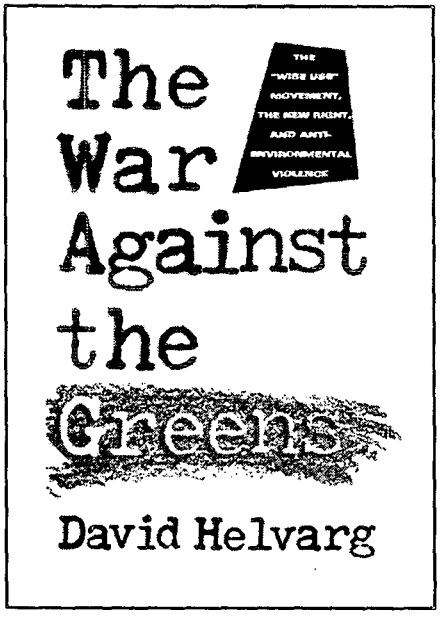
Indeed, DARE, the Drug Abuse Resistance Education program launched by infamous Los Angeles Police Chief Darryl Gates, has been widely criticized as a mockery. Seventeen-year-old Crystal Grendell of Searsport, Maine, claims that, when she was an elementary school student, she confided to a DARE officer about her parents' marijuana habit. The officer, she alleges, had assured her that her parents would not be arrested, but the police subsequently pulled her out of class several times for interrogation, telling her that if she did not cooperate, her parents would be arrested. Grendell claims she cooperated, but the police still raided her father's home, throwing him in jail for three months for owning 50 pot plants.

As for the dogs, much of the public has yet to be persuaded by the ACLU's argument that they are an undue invasion of privacy. "There is a certain climate that supports this kind of intrusion," says Marla Brassard, a professor at Columbia University Teachers College. "People can put up with a few indignities as long as it is not a whole climate of indignity."

Public attitudes may change as schools reap only marginal returns from increasingly aggressive intrusions on privacy. In the meantime, school administrators and the judiciary remain set in their ways. The ACLU is currently keeping a close watch on District 66 in Omaha, Neb., which plans to test its entire student body for drugs. "I don't know if [federal judges] are any more removed from reality than the administrators who are coming up with these plans," says Matt Lemieux, executive director of the Nebraska ACLU. "But there seems to be too much stock in whether these plans will do anything. They are basically cosmetic, and what is being sacrificed are people's rights."

Evan Halper is a freelance journalist based in New York.

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GOVERNMENT

Strange bedfellows

Left-right coalitions have emerged to cut corporate welfare programs. So far, the results have been mixed.

By Janice C. Shields

With the watchword of ending "welfare as we know it," the 104th Congress—including many Democrats as well as Republicans—set about cutting billions of dollars from programs for needy families and children. For the last two years, a small group of Congress members, along with various interest groups from both the left and the right, have tried to muster the same fervor and bipartisan fellowship to end "corporate welfare as we know it."

Ralph Nader coined the term "corporate welfare" 25 years ago. His organization Public Citizen—and, subsequently, the Essential Information and the Corporate Wealthfare Project—published reports on federal "aid for dependent corporations" in the ensuing years. In the fall of 1994, then Labor Secretary Robert Reich took up the cause and challenged right-wing organizations to propose cuts to specific corporate welfare programs. The Cato Institute responded in March 1995 with a list of recommended cuts in subsidies for business, and soon organizations that had never shared common interests were working together to end these handouts.

While many on the left and the right want to reduce corporate welfare, each side has its own motives. Progressives point to the inequity of cutting programs for poor people while doling out billions to wealthy corporations. Realists on the left also accept, given Washington's current obsession with balancing the budget, that they will have to find other sources of federal revenue and savings to fund government social programs. The right simply wants to downsize government and reduce the deficit and taxes. In practice, these very different motives and goals make it difficult for opponents of corporate welfare to agree on specific federal business subsidies and tax breaks to target. Nonetheless, they have enjoyed some small victories.

One day last August, I returned to the office to learn I'd gotten a call from, of all people, Rep. John Kasich, the Republican chairman of the House Budget Committee. Later, I found out that he'd called from a meeting in his office with representatives of Washington's right-wing think tanks. They had been discussing ways to renew his attack on corporate welfare. Reasoning that they might make a convenient alliance with the left in these efforts, Kasich called me, the coordinator of the liberal Corporate Wealthfare Project. I called Ralph Nader, who got in touch with Public Citizen, and the U.S. Public Interest Research Group (PIRG), who called Friends of the Earth. Soon we had the makings of a left-right coalition to stop corporate welfare.

As its first target, the coalition singled out a pending bill that would have doubled the funding authority of the Overseas Private Investment Corporation (OPIC), an agency that is currently authorized to provide $23 billion annually in subsidized loans, loan guarantees and political risk insurance for overseas investments by U.S. companies. All opposed the OPIC bill, but for somewhat different reasons. Taxpayer organizations objected to the agency's cost to the Treasury. The libertarians argued that OPIC's functions should be privatized. Environmental groups assailed OPIC for assisting environmentally destructive projects abroad. Progressives also argued that OPIC subsidies may help companies export jobs overseas.

In the end, the "strange bedfellows" coalition stunned OPIC proponents in Congress by mustering 260 votes against the bill—almost twice the number needed.

Fresh from victory and a pep talk from an energized

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Stop Corporate Welfare! Coalition list of corporate welfare cuts

1. Deauthorize the Animas-La Plata Federal Reclamation Project.
2. Study alternatives to the Nuclear Fuel Pyroprocessing Program.
3. Eliminate electric and telephone programs of the Rural Utilities Service.
4. Eliminate the Market Access Program.
5. Eliminate the Appalachian Regional Commission Roads Program.
6. End U.S. appropriations for the IMF's General Agreement to Borrow.
7. Terminate highway demonstration projects.
8. End funding for fossil fuel, oil, coal and gas research programs.
9. Terminate the Clean Coal Technology Program.
10. Terminate the Overseas Private Investment Corporation.
11. End U.S. appropriations for the IMF's Enhanced Structural Adjustment Facility.
12. Eliminate subsidies for national forest road construction.

Progressive Coalition list of corporate welfare cuts

1. End transfer pricing abuses used to reduce U.S. taxable income.
2. Replace foreign tax credit with a deduction.
3. End subsidies for defense exports.
4. Close mutual insurance company tax loophole.
5. Close remaining loopholes on loans backed by corporate insurance policies.
6. End U.S. appropriations for the IMF's General Agreements to Borrow and the International Finance Corporation.
7. Cap mortgage interest tax deductions.
8. End tax deductions for business meals and entertainment.
9. Require amortization of advertising costs, rather than deduct them when incurred.
10. Lease or auction HDTV and radio spectra, rather than giving away spectra.
11. Raise fees on water from federal irrigation projects.
12. Charge royalties for minerals removed from federal lands.
13. Disallow use by extractive companies of percentage depletion allowance to determine tax deductions.
14. End subsidies for defense company mergers.
15. End subsidies on Export-Import Bank loans.
16. Raise fees charged ranchers for grazing animals on federal lands.
17. Raise taxes on corporate jet fuels.
18. Terminate the Overseas Private Investment Corporation.

—J. S.

Kasich, the left-right coalition resolved to stay together to fight other corporate welfare programs when Congress returned in January. We decided that every participating group must agree on all the corporate welfare we decided to attack. We then worked throughout the fall to come up with a list of such programs.

The unanimity requirement led to some acrimonious meetings, especially since a common definition of corporate welfare hadn't been adopted, leaving each group to apply its own criteria. Many of the taxpayer organizations, for example, would not consider cutting corporate tax breaks. Eliminating a deduction or credit, they argued, was tantamount to increasing taxes. Other coalition members nixed corporate welfare targets for seemingly more arbitrary reasons. Environmental groups insisted that only programs proven to harm the environment should be on the final list. Perhaps more frustrating, the final target list excluded an enormous area of corporate welfare—military spending. PIRG objected to such cuts on the grounds that it takes no position on defense spending. Some libertarian groups, too, voted to table discussions of military programs, claiming that they didn't feel qualified to determine which ones should be cut.

Finally, in January, the coalition, newly named Stop Corporate Welfare!, came up with a list of 12 corporate welfare programs to target (see sidebar) and scheduled a news conference. This common agenda, however, could not mask the serious differences that remained among coalition members, as news reports made clear. As coordinator of the Corporate Wealthfare Project, I was quoted in *Investors' Business Daily* suggesting that corporate tax loopholes should be closed and the money used for more social spending. The same article quoted the president of Americans for Tax Reform saying, "We will go out and knock on the side of the head with a baseball bat those left-wing groups that are trying to avoid cutting the budget by talking about tax increases."

As the Stop Corporate Welfare! coalition was forming, representatives from TaxWatch, an umbrella grassroots organization started by the Corporate Wealthfare Project and the Community Nutrition Institute, began meeting with staffers of the 58-member Congressional Progressive Caucus to discuss an attack on corporate welfare from the left. The Corporate Wealthfare Project sent its "Aid for Dependent Corporations" report, which listed 153 examples of federal corporate welfare, to Progressive Caucus staffers, who then winnowed it down to 18 target programs, including tax breaks, military spending and subsidies (see sidebar).

As it turned out, only two items on the Stop Corporate Welfare! coalition list showed up on the Progressive Caucus

Continued on page 36

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IN THE ARTS

The other prophet Muhammad

A new film about the 1974 Ali-Foreman boxing match documents a defining cultural moment for African-Americans.

By Salim Muwakkil

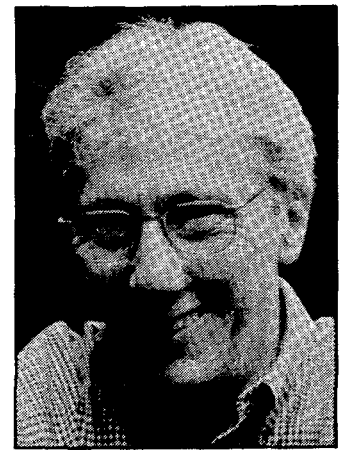
Few who were alive in 1974 can forget the epic "rumble in the jungle," the world heavyweight championship boxing match fought in Kinshasa, Zaire, between defending champ George Foreman and challenger Muhammad Ali. The $10 million purse, unprecedented at the time, combined with the flamboyant personalities and exotic setting, revolutionized the art of boxing promotion—if not the sport itself—and provided black America with a highly visible international forum for its pan-African aspirations.

The outcome of the bout is now legendary, but its retelling in Leon Gast's *When We Were Kings* is no less dramatic and spellbinding than if we didn't know who would win. For the film, the winner of this year's Academy Award for best documentary feature, is much more than the recounting of a prize fight—it's a multi-layered portrait of a defining cultural moment for African-Americans.

When Gast set out in 1974 to film the Foreman-Ali bout, Foreman was an undefeated 26-year-old slugger. He was heavily favored to defeat the 32-year-old Ali, who had recently returned from three years of forced exile and was noticeably off his peak. In 1967, Ali, already a world champion boxer, had refused to be drafted by the U.S. armed forces on the grounds that he had recently been ordained a minister in the Nation of Islam (NOI). "No Viet Cong ever called me a nigger," he said in a now famous phrase when refusing induction. Convicted of draft evasion, Ali was forced to surrender his title and was banned from boxing until the Supreme Court reversed the verdict in 1971.

Ali's act of defiance made him an anti-war hero to many Americans—especially African-Americans. He also won the hearts of people living far beyond these borders, especially in the Third World. He was widely heralded as "the people's champ"—courageous, committed and unintimidated by the powerful U.S. government. Foreman, who initially gained fame for parading an American flag around the ring following his Olympic victory, was easily cast in the villain's role. In contrast to the charismatic, audacious Ali, Foreman seemed sullen, awkward and Uncle Tomish.

Although both men are products of the same African diaspora, Ali managed to portray Foreman as a symbol of Western imperialism and a surrogate white man. Wherever he went in Kinshasa, Ali led Zairians in a chant calling—albeit more mischievously than menacingly—for Foreman's death. On the night of the fight, a crowd of thousands let out a frenzied chorus of "Ali Bomaye!"—"Ali, kill him!"



When We Were Kings
Directed by Leon Gast

Gast spent 22 years trying to finish his documentary, and though he may have wondered how relevant audiences would find his subject in 1997, the elapsed time has actually enhanced the film's power by adding a historical context. Because we know Ali and Foreman today, the humanity of both men shines through the "rumble in the jungle" hype and perhaps even in ways contrary to the filmmaker's intentions. Although Fore-

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man may have been cast in the film as a hapless extra in a spectacle beyond his comprehension, some of his off-handed remarks, in retrospect, were more insightful than Ali's rote script of NOIisms.

For example, Foreman best expressed the irony of the black-on-black hostility he faced in the land of his ancestors. Wouldn't a chant exclaiming Foreman or Ali "loves Africa," he wondered, be better than one urging the opponent's death? His question rings especially true today, as many black communities find themselves paralyzed by fratricidal violence and as Zaire and neighboring Rwanda periodically flare up in firestorms of ethnic hatred. Foreman's transformation from the socially inept, politically inert oaf of 1974 (even his pet German shepherd—the favorite sentry dog of the Congo's erstwhile Belgian colonists—pushed the wrong buttons with Zairians) to the avuncular and poised pitchman he is today adds another dimension to this marvelously variegated film.

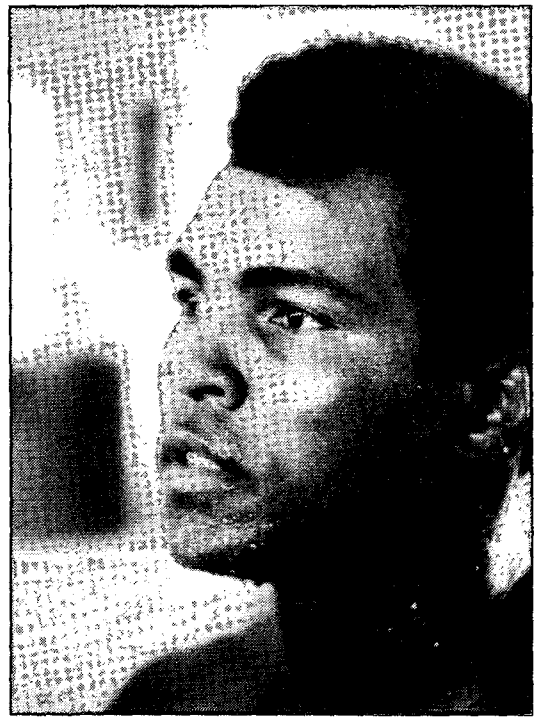


PHOTO ©1996 HOWARD L. BINGHAM

The intimate shots of Ali presenting his hard-nosed assessment of black life in America reveal his serious concern for the plight of his people. Gast's chronicle shows a man with an endless array of psychological weapons and an acute sense of self. So talented and confident was this charismatic young black man from Louisville that he seemed to embody all the ingredients of transcendent greatness—except, of course, that he was black. But he turned even that to his advantage when he became a Black Muslim, quoting Elijah Muhammad's eccentric catechism in a crusade against U.S. imperialism in Vietnam. Today, Ali is puffy and stricken with Parkinson's disease. Yet it's difficult to muster pity for him after watching him work his magic in his youth.

But Gast had no idea that his film about the legendary fight would reap such benefits of historical perspective. Essentially, he was hired simply to document a sort of entertainment extravaganza, including not only the fight but an accompanying music festival meant to be a sort of pan-African Woodstock. Both events were sponsored by Zairian dictator Mobutu Sese Seko, who, under the spell of U.S. fight promoter Don King, risked $14 million of his country's scarce resources on this dubious project.

King also persuaded Gast that all would go smoothly and that money was no problem. Gast's postproduction costs were to be covered by the gate receipts of the music festival, which was to include James Brown, B.B. King and the Pointer Sisters, among others. Gast's problems began when a facial injury to Foreman forced the fight to be delayed for six weeks. The music festival went ahead on schedule, but the fight's delay hurt attendance. Gast kept his crew in Zaire for the six-week delay and used the time to focus more intensely on the fighters.

As a result, we get a better understanding of Ali's sense of mission and his fierce enthusiasm for the NOI's self-help doctrines. During quieter interviews, the gifted boxer often referred to his role as a bridge from black America to Africa. At the same time, Gast's lens reveals Ali's ignorance of geopolitics. Even as he exclaims that African-Americans need to stop "begging the white man for what he could do himself," he basks in the hospitality of one of the most corruptly solicitous and brutal regimes in the history of the African continent.

The event fit so many needs that it was a virtual force of nature. Mobutu wanted good international publicity, King wanted a spectacular backdrop for his promotional extravaganza, Ali wanted the championship and a larger platform to teach Muhammad's message, and Foreman was promised his largest payday ever. The musicians sought a place in history and wanted to make a statement about black pride. Remarkably, the fight itself actually topped the hype. Ali's "rope-a-dope" technique gained legendary status after the big, bad Foreman went down in eight.

But Gast's film seemed destined to remain unmade. The director faced obstacle after obstacle, and although many of his friends and associates advised him to abandon the project, he continued working on it. In 1986, Gast received the financial backing of his longtime friend David Sonenberg, and the film began rolling to conclusion. The footage is punctuated by the sometimes insightful musings of George Plimpton and Norman Mailer, two writers who covered the event in Zaire. Spike Lee provides valuable commentary from a black perspective, pointing out that Ali was a pioneer in linking professional athletics to wider and more controversial concerns.

The film is updated for youth with a soundtrack featuring, among others, the Fugees with their hip-hop aggregation and an all-star crew rapping about the wonders of Ali. It's appropriate: Ali presaged hip-hop in both attitude and content. His rhyming predictions, his cocky confidence and even his race-man audacity all typify the hip-hop aesthetic. That's another connection that couldn't have been made until hip-hop's arrival in the late '80s. *When We Were Kings* chronicles a visit to the motherland by a people looking for roots; instead, it finds their future. ◀

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IN PRINT

Life on the assembly line

By Jane Slaughter

It's frustrating to read almost any popular writing about the workplace these days. Most of it is filled with either garbage about "the end of work," or paeans to the new, high-skilled jobs that will be performed by talented, flexible workers.

Despite its title, Ruth Milkman's *Farewell to the Factory* does not promote the myth that factory work is a thing of the past in high-tech, communications-age America. Rather, Milkman, who teaches sociology at UCLA, focuses on what it's really like to work in a factory today, specifically General Motors' Linden, N.J., assembly plant. She also spends time with workers who have, in their words, "escaped" from Linden. Her book is, in many ways, an excellent corrective to the conventional wisdom about the reorganization of work that fills the pages of employer publications and union newspapers alike.

Milkman's data are somewhat dated, given the continuing workplace transformations of the '90s; her last interviews took place in 1991. Still, her descriptions of what new technology and work reorganization meant for workers at Linden should be required reading for pundits who promise us the "high-performance workplace."

Milkman and her colleague Cydney Pullman interviewed Linden workers and managers beginning in 1984. The many workers Milkman quotes at length expressed frustration, disillusionment, fear and cynicism about their jobs. Over the course of the study, the Linden plant experienced a major upheaval: a massive modernization that shut the factory down for a year, followed by a management promise to transform labor relations when the plant reopened. The "new Linden," management said, would mean humane supervisors and worker participation in decisions. Milkman subtitles this chapter, "Rhetoric and Reality."

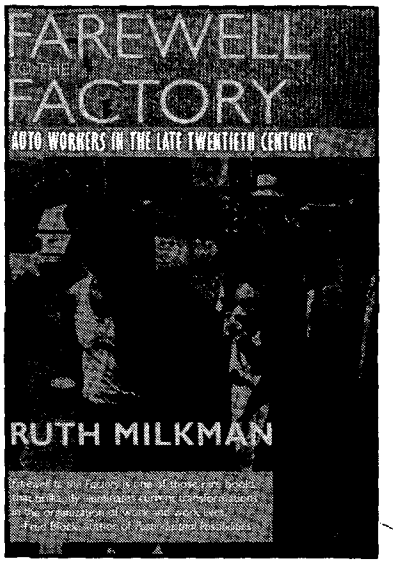
After the changeover, the new robots and a switch to smaller cars turned out to mean that fewer production workers were needed. When the United Auto Workers union negotiated a lump-sum buyout for those who gave up their job rights, many lower-seniority employees jumped at the chance. Milkman followed a sample of these workers after they left GM.

Milkman argues that these lower-seniority workers were luckier than most blue-collar casualties of downsizing: They were self-selected and young, they found new jobs quickly in low-unemployment, high-union-density New Jersey, and they left with a tidy cash sum. African-Americans tended to be worse off after leaving GM than their white counterparts, and many regretted their decision to leave. Still, four years later, 80 percent of all workers said they were glad they'd quit.

This doesn't quite jibe with the more familiar stories about the results of mass layoffs: lost homes, divorces and suicides or, at least, drastically reduced standards of living. But Milkman is at pains to point out that the focus on the very real deprivation caused by deindustrialization obscures this fact: "That many features of the factory jobs they left behind fully *deserve* to be dead and buried ... routinized, boring work [and the] draconian supervisory regime." She asks the reader not to fall prey to nostalgia for such jobs.

Of course, as Milkman recognizes, when sacked factory workers mourn their jobs, it's the pay and benefits—and sometimes the union—that they regret losing, not the work itself. Referring to auto-worker pay, a friend of mine at GM in Flint always refers to himself as having been "born with a silver spoon in my mouth." Nearly a third of Milkman's sample said their main reason for taking GM's buyout offer was that they hated the work. Milkman shows us that, contrary to the hype, the remaining factory jobs are not getting any better either.

She cites Shoshana Zuboff's *In the Age of the Smart Machine* and Larry Hirschhorn's *Beyond Mechanization* as examples of the optimism about new technologies and work reorganization. These and most such commentaries claim that computerization will upgrade workers' skills and that participation programs will humanize work. "Learning is the new form of labor,"



Farewell to the Factory: Auto Workers in the Late Twentieth Century
By Ruth Milkman
University of California Press
234 pp., $45 (cloth), $14.95 (paper)

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Zuboff declares. Linden production workers discovered the opposite.

In 1985-86, Linden was completely overhauled at a cost of over $300 million. The plant reopened with 219 robots and 186 programmable logic controllers. Nearly all welding was now done by robots, with a computer monitoring their work. Lasers checked for proper alignment. Robots installed windshields and rear windows. Production jobs were cut by a third.

What was the impact on skills? The already skilled workers—those in the trades, such as electricians—reported a sharp upgrading of their crafts as they learned how to maintain the robots. They received weeks of training and nearly doubled their numbers. But the line workers found their daily work worse. The fact that the machines they were using now had more brains in no way implied that workers got to use their own brains as well. One worker reported that before the changeover, he "could use my head more" in his soldering job, which required precision. "Now," he said, "all we do is put pieces in [and] push the buttons." Another worker put it this way: "Right now I'm doing more work in less time, the company's benefiting, and I am bored to death—more bored than before!"

In addition, many of the more desirable jobs were eliminated in the wake of changes associated with the "lean production" system that GM began to implement in the '80s. Outsourcing—buying parts from suppliers rather than building them in-house—eliminated the sub-assembly jobs off the main line, where workers could control and vary their own pace. Repair workers no longer did repairs; instead, they were instructed to send bad parts back to the vendor. "I'm not a repair man or a specialist," said one worker. "I'm just a parts changer."

The relationship part of the "new Linden" did not improve production workers' jobs either. Eighty hours of classroom training had focused on the proposition that "human beings have an unlimited potential for growth." Trainers promised that the new philosophy was to treat workers with "dignity and respect." But while skilled trades workers reported fewer hassles with foremen (because their enhanced knowledge rendered the bosses superfluous), three-quarters of production workers said their relationship with supervisors was the same or worse than before.

With respect to workers' participation in decision-making, the trainers had emphasized that workers would now have not only the right but the duty to stop the line when they couldn't complete their tasks. The idea was to "get it right the first time" rather than make a repair later on. This sounded fine in the classroom, but as production ramped up, workers who stopped the line found themselves in trouble. "Every minute they're down, to them, all they see is dollar signs," said one worker.

Workers tended to blame first-line foremen for the broken promises, but Milkman points out that top-level corporate management offered foremen no incentive to change. On the contrary, they made it clear that increasing productivity by any means necessary was the goal.

Although Milkman is clearheaded in drawing conclusions from her specific research at Linden, she confuses some important management techniques. She sometimes mixes up lean production with worker-participation programs, often treating them as if they were the same thing. Lean production was first practiced by Toyota. It is the tightened-up factory regime—now in use worldwide—that includes just-in-time delivery, rigid standardization of jobs, increased Taylorism, workers learning several jobs, elimination of "buffers" such as extra workers or extra stock, *kaizen* (continuous improvement) and speed-up. In the leanest auto plants in the United States, workers' jobs are timed to fill 57 seconds out of each minute on the line. Participation programs, on the other hand, are akin to the "new Linden," with motivation training, employee circles to discuss quality and productivity, and often a new, cooperative role for the union.

The relationship between these two phenomena is that participation programs have been used to soften unions up for the introduction of lean practices. For example, at NUMMI, a GM-Toyota joint venture in the Bay Area that is the prototype lean factory in this country, Toyota was brought in with the promise that workers would have a "voice in their own destiny" and use the "team concept." GM workers were naturally enthusiastic—particularly since their plant had been shut down for two years. Participation programs—whose overall record can be summed up in Milkman's phrase, "seduced and abandoned"—are the carrot and the grease for leanness; fear of job loss ("beat the competition") is the stick.

Readers should overlook Milkman's occasional sentences that read like boilerplate from the Labor Department's Office of the American Workplace. By listening to what workers say, Milkman has provided a case study of what changing management practices mean where it counts: on the shop floor. ◁

Jane Slaughter is co-author, with Mike Parker, of *Working Smart: A Union Guide to Participation Programs and Reengineering*. For 16 years, she covered the auto industry for *Labor Notes*.

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Psychiatry on the couch

By Cheryce Kramer

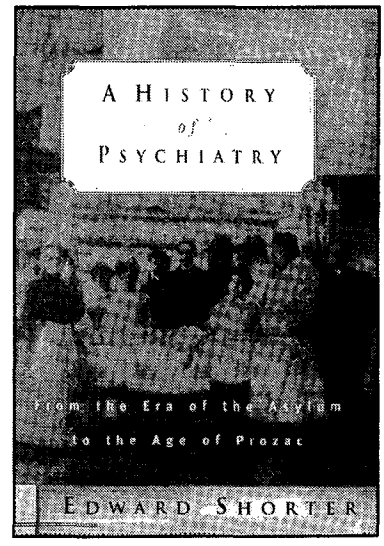
Psychiatry is inherently political in that its practitioners determine who is mad and who is not. These decisions have far-reaching consequences for individual patients whose income, civic rights and identity may be at stake. The treatment methods used by psychiatrists are also politically charged, insofar as judgments over the respective merits of, for example, psychoactive drugs versus the talking cure are ultimately rooted in differing conceptions of the causes of mental illness and the nature of cure. Not surprisingly, historians of psychiatry, too, find themselves drawn into acrimonious debates over such questions as whether mind doctors have tended to serve their own interests, the interests of their patients or the interests of a society demanding protection from the mentally ill.

In Edward Shorter's interpretation of the history of this medical speciality, psychiatrists have at times promoted their own interests and at others those of their patients. In Shorter's view, psychiatry has most decidedly not served the organized interest of a surveillance-oriented social state. This interpretation pitches Shorter, a professor of the history of medicine at the University of Toronto, directly against the body of literature from the '70s associated with Michel Foucault, Thomas Szasz and Andrew Scull, to name a few. These scholars argued that psychiatry and psychiatric concepts are essentially instruments of social control that provide medical legitimation for the confinement of socially undesirable groups. Shorter goes on the attack, calling his opponents "sectarians" and "zealot-researchers" mired in "a sand box of their ideologies."

Having excluded social control from the purview of his study, Shorter tends to group practitioners as either "good guys" or "bad guys." The good guys are, for the most part, somatically inclined scientific psychiatrists who use physical treatment methods, while the bad guys are psychoanalytically inclined psychiatrists who rely on the medicinal properties of the psychiatric encounter. Yet Shorter manages to successfully navigate the facile morality this plot structure implies by not being dogmatic about these divisions. Indeed, one of Shorter's most original achievements is to squarely confront the fact that scientific psychiatrists are involved in many questionable practices. In discussing these practices, Shorter's only identifiable loyalty extends to the suffering psychotic—all that removes suffering receives his endorsement.

As his subtitle indicates, Shorter's book moves from the era of the asylum to the age of Prozac, spanning, in one fearless narrative, the development of psychiatry from localized utopias of madness to a global utopia of sanity. "Psychiatry has always been torn between two visions of mental illness," Shorter writes. "One vision stresses the neurosciences, with their interest in brain chemistry, brain anatomy, and medication, seeing the origin of psychic distress in the biology of the cerebral cortex. The other vision stresses the psychosocial side of patients' lives, attributing their symptoms to social problems or past personal stresses to which people may adjust imperfectly." While the former has given rise to ever more physical, interventionist treatment methods, the latter has led to psychological methods of control.

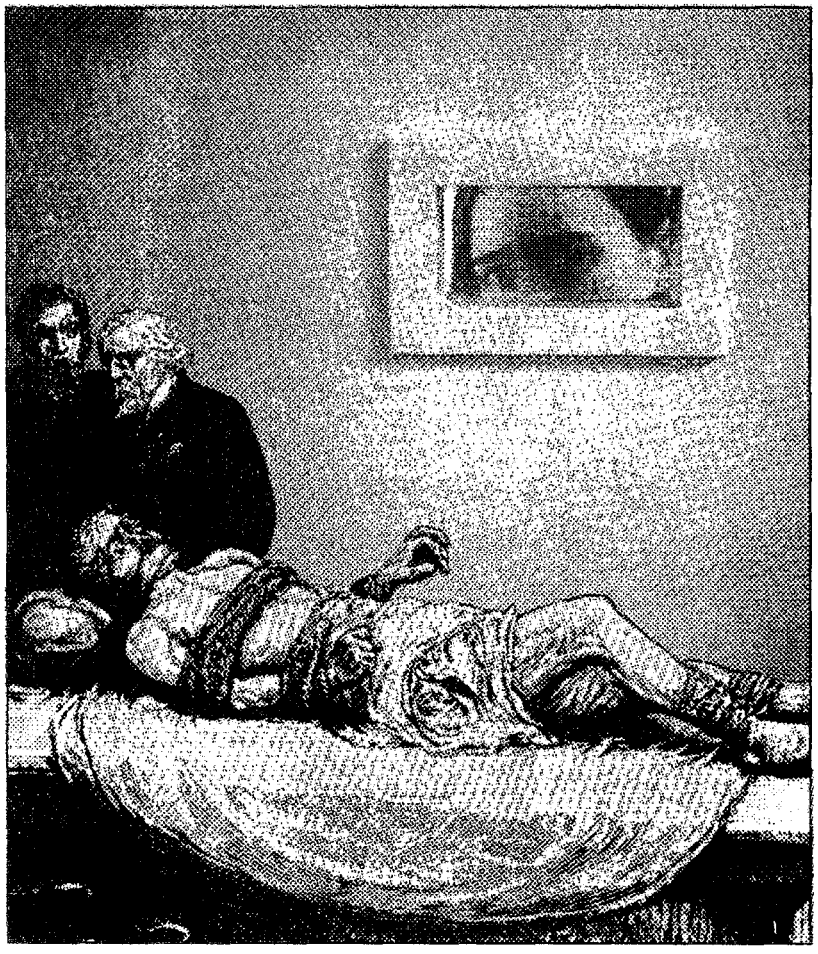
The emergence of psychiatry, Shorter argues, coincides with the invention in the early 19th century of a therapeutic instrument, namely the asylum itself. The asylum was originally designed to treat patients by immersing them in a curative environment that provided rest, distraction and medical attention. Since the art of asylum management was particularly well-developed in Germany, Shorter calls this period the "German Century." Despite its initial promise, the curative asylum failed for two reasons: First, patients did not, on the whole, recover. Secondly, an epidemic of syphilis, which entails a late onset of madness, caused a sharp rise in the need for psychiatric beds in the second half of the 19th century. As the average size of the asylum increased from 57 beds in 1830 to 473 in 1870, the scientific credibility of these establishments waned and their resources dwindled. By the end of the 19th century, the curative asylum had been demoted to a purely custodial institution "warehousing" ever greater numbers of mentally ill patients. The decline in the asylum's professional prestige led to the creation of such establishments as the Milledgeville State Hospital in Georgia, which in Shorter's estimation was "an 8000-bed hellhole."



A History of Psychiatry From the Era of the Asylum to the Age of Prozac
By Edward Shorter
John Wiley & Sons
436 pp., $30

While asylum psychiatry stagnated, a second treatment method, namely Freudian psychoanaly-

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sis, emerged. Despite its Viennese origins, Shorter argues, psychoanalysis was a particularly American phenomenon. After all, it was the American medical market, stimulated by Jewish immigration during the Nazi period, that accorded Freudian techniques and concepts the popularity they enjoyed from roughly 1930 to 1970. Shorter calls this period the "Psychoanalytic Hiatus," arguing that psychoanalysis made no significant contribution to the medical containment of mental suffering. He describes psychoanalysis as "a chic therapeutic boomlet" that relied on an elaborate choreography of the doctor/patient relationship to ameliorate what he disparages as "garden-variety neurosis." According to Shorter, the historical significance of psychoanalysis is economic rather than medical. By enabling psychiatry to move out of the asylum and into private practice, psychoanalysis fundamentally rearranged the distribution and character of psychiatric care. While an army of suffering patients languished at the asylum, a new mental-health care market emerged for "wealthy patients desiring self-insight."

The decline of the curative asylum and the increasing number of patients housed in these institutions had, by the beginning of the 20th century, launched scientific psychiatry on a desperate search for physical methods of treating mental illness. As Shorter concedes, many of the procedures that emerged bear the mark of that desperation. Many readers will, no doubt, shudder to recall Malaria therapy, prolonged sleep, shock and coma treatments, electroshock and the transorbital lobotomy. But few are likely to have as vivid a grasp of the physical and psychological transformation effected by them as Shorter's detailed account provides. With the exception of the lobotomy, each of these procedures elicits one of two conditions: a profound coma-like sleep or a full body convulsion. By reconstructing the logic leading to the discovery of each procedure and the circumstances of its introduction into asylum practice, Shorter is able to describe in detail the gruesomeness of these therapies while at the same time presenting scientific psychiatrists as the good guys in his story. Readers are encouraged to temper their natural squeamishness and keep an open mind about the possible benefits of these procedures. "Why shocking the brain to the point of eliciting convulsions makes psychotic patients better is unclear. But it does," he writes. "So does the dangerous procedure of putting them into prolonged comas, as opposed to the stupors that bromide sleep elicited. So little understood is the relationship between brain and mind even now that the mechanism of these treatments, which have helped retrieve many patients from the depths of profound illness, is not understood."

For Shorter, the discovery of Chlorpromazine in the '50s is a decisive turning point in the history of psychiatry, initiating "a revolution in psychiatry, comparable to the introduction of penicillin in general medicine." Chlorpromazine was the first of the subtle psychoactive drugs able to suppress agitation without stifling consciousness. Large pharmaceutical companies, especially French and American ones, now enter the story, eager to profit from the sale of the drugs. These companies initiated a pharmacological research program that regarded the brain as a complex system of neurotransmitters such as dopamine, serotonin and various catecholamines, each regulating specific dimensions of brain activity. As a consequence of this corporate support, "a veritable cornucopia of antipsychotic, antimanic, antidepressant drugs poured forth." In contrast to the brutal physical interventions inducing coma and convulsions, these were more gentle mind-altering substances with a potential for wide distribution. The most successful drug to come out of this research was Prozac. With its dual promise of "a problem-free personality and weight loss," it "took off more rapidly than any other psychiatric drug in history."

As a consequence of the triumph of chemical treatment methods in the '70s, Shorter writes, "biological psychiatry came roaring back on stage, displacing psychoanalysis as the dominant paradigm and returning psychiatry to the fold of the other medical specialities." But this did not redeem the asylum, whose viability, Shorter claims, had been too far undermined by the antipsychiatry movement of the '70s,

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which insisted that patients would be better served "in the community." Though not entirely for reasons the antipsychiatry movement would have espoused, great numbers of psychiatric patients in the United States—and to a lesser extent in Britain and Germany—were released into society. This had disastrous consequences, as the high proportion of the mentally ill in the homeless population points up. Today, Shorter concludes, both traditional bastions of the psychiatric profession, the asylum and the couch, have given way to the dispensation of prescription drugs. The medical encounter has become a mere transaction.

Though it reveals a great deal about psychiatry, Shorter's analysis has little to say about the nature of mental illnesses. He questions the stereotype of psychiatry as the quintessential armchair science by presenting a picture of contemporary psychiatry as big science. "Only the alliance with geneticists, pharmacologists, radiologists, biochemists and pathologists made the advances in psychoactive drugs possible," he writes. But he does not question the need for such drugs or the epistemological status of the illnesses they control. Unlike Gilles Deleuze, Felix Guattari and David Cooper, who associated the existence and prevalence of schizophrenia with the structure of capitalism, Shorter simply assumes mental illnesses are a natural phenomenon. Nevertheless, he occasionally acknowledges that illnesses are in some sense cultural constructs. He recognizes, for example, that the current climate of easy drugs has led to a culture of "pharmacological hedonism."

Although there is nothing deliberately Marxist about Shorter's style of reasoning, his book can be read as a study in dialectical materialism. The argument moves from the thesis of asylum psychiatry and the antithesis of psychoanalysis to a synthesis in Prozac culture. The traditional bifurcation between biological psychiatry and psychosocial psychiatry is overtaken by market forces unleashed by the development of drugs that make people feel "better than well." Psychoanalysts created the market for pervasive mental health care. Then scientific psychiatrists developed the drugs to provide that care at cheaper prices. Now, both parties have lost their institutional authority to prescription drugs. Though Shorter would disagree, the very success of the drugs created the conditions for the demise of the asylum.

Shorter's history leaves the reader with a menacing image: America is clamoring for psychoactive drugs, and psychiatrists are acting as the gatekeepers regulating their distribution. Psychiatrists are, in a sense, serving as the neurotransmitters of a collective social mind seeking to achieve a state of perpetual bliss. This raises two unsettling questions: What will be the long-term social effects of systematically altering the mood of the nation? And can we be certain that psychiatrists are qualified to occupy such a central role in the governance of the body politic? ◀

Cheryce Kramer is a doctoral candidate in the history of psychiatry at the University of Chicago.

Corporate welfare

Continued from page 29

list: OPIC and the International Monetary Fund's Agreements to Borrow, which provide loans to developing countries that agree to economic restructuring. Kasich coalition members found each of the remaining 16 Progressive Caucus targets unacceptable for one reason or another: nine were tax breaks; two involved military cuts; four would require payment of fees for use of federal lands that the libertarians in the Kasich coalition say should be privatized; and one, Export-Import Bank loan subsidies, had been rejected by the Kasich coalition environmentalists.

Unlike the Kasich coalition, the Progressive Caucus didn't require unanimous agreement among its participating members. It also solicited recommendations for ways the savings and increased tax revenue from the proposed cuts should be spent. Caucus staffers then matched social programs with corporate welfare cuts of similar amounts. For example, ending tax deductions for business meals and entertainment expenses would create $23.5 billion over five years, enough to restore the budgets of the federal food stamp and Medicare programs. Rep. Bernie Sanders (I-VT) will soon introduce a bill that includes the 18 targeted corporate welfare programs and others, and the social programs that should be reinstated.

Even if a bipartisan congressional coalition could reach a consensus on a wide array of corporate welfare targets, it would inevitably run up against deeply entrenched obstacles. The most formidable of these is the PAC spending and lobbying by business beneficiaries. Another is an attitude akin to NIMBY—or "not in my backyard"—environmentalism: Many members of Congress are happy to support cutting programs—as long as it doesn't affect their own districts. Progressive Caucus members representing timber districts, for example, prohibited inclusion of timber roads subsidies on the caucus' target list. Some federal programs, notably those of the defense department and the National Institutes of Health, exploit this vulnerability by locating contracts in most or all congressional districts. Partisan loyalty, too, can prevent Congress members from siding against wasteful programs. Members of the Kasich coalition, for example, have been accused by others in their own party of selling out to or being used by the other side.

Despite what seems to be a tentative bipartisan consensus, it remains unclear how much corporate welfare will be eliminated. If history is any guide, it won't cut much. In 1995, the Corporate Wealthfare Project, the Progressive Policy Institute and the Cato Institute came together to announce 12 subsidies that all three groups agreed should be abolished. Eleven of the 12 remain. ◀

Janice C. Shields is coordinator of the Washington, D.C.-based Corporate Wealthfare Project & TaxWatch.

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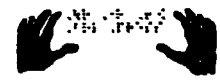
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can public is almost twice as cynical as the media. According to a 1995 survey by the Times Mirror Center for the People and the Press (now the Pew Center for the People and the Press), some 77 percent of the public rated the honesty and ethics of Washington officials as low. Only 40 percent of national journalists held this admittedly cynical view.

Given this curious juxtaposition, perhaps it's time to make a fresh, and more open-minded, appraisal of the virtues of public cynicism. Sure, a certain kind of petulant, knee-jerk cynicism among citizens can translate into a lowest-common-denominator, "what's-in-it-for-me?" view of politics. But wouldn't it be infinitely more disturbing if the public hadn't responded with cynicism to the swelling nexus of finance scandals issuing from the White House? After all, cynicism, strictly speaking, is nothing more than the view that self-interest governs most human affairs—and the Clinton campaign finance scandals certainly bear abundant testimony to that proposition.

Moreover, cynicism has an upside: an honorable philosophical pedigree and a demonstrated usefulness in the struggle to reclaim democracy. After all, Diogenes, the original cynic, wasn't a glib forerunner of Beavis and Butthead, looking for quick debunking opportunities. He sought out an honest man, and ultimately found more palatable company among the dogs (the term cynic, indeed, stems from the Greek word for "dog"). And in latter-day authoritarian regimes, we've had plenty of avowed cynics rally impressively to the daunting, draining work of civic reform and reclamation. Nelson Mandela, Lech Walesa and Vaclav Havel, to name just three prominent examples, have all been practicing cynics, brandishing in spades the very traits that seem to worry the American pundit class: an open distrust of their government, a refusal to believe that official spokespeople were telling the truth or serving anything other than their own interests, and even, in some cases, a disarming ability to question their own reform-minded motives. These are all qualities that democracies would do well to cultivate.

Yet none of this ever seems to occur to the tribunes of American political debate, who resolutely cling to the conviction that the minds of most Americans are made of sealing wax, and that a more or less perfect correspondence obtains between the attitudes encoded in national press coverage and the outlook of the public.

A frank acknowledgment of the true scope of public cynicism would force journalists to give up the flattering notion of their own world-historical influence. "I think if we become more cynical about our institutions here, we also risk people around the world becoming more cynical about the true power and values of the American society," *Time* editor Walter Isaacson told the *Los Angeles Times* last year. The power of the American ideal, he explained, "comes basically from the authority and credibility we have as journalists."

Such magisterial pronouncements (redolent of Isaacson's predecessor Henry Booth Luce) are further undermined by recent poll data suggesting that—horrors!—the American people are cynical consumers of news as well. A majority of respondents in another April poll, conducted by the Pew Center for the People and the Press, said they found news coverage to be "often inaccurate," up more than 20 percent from the results of a 1985 Pew Center poll. Fifty-four percent replied that the media get in the way of solving social problems, citing sensationalism and bias as the chief obstacles to more productive news coverage. Moreover, just as they are voting with their feet in our debauched elections, more and more Americans are choosing not to tune in to Peter Jennings & Co. Only 41 percent watch network news regularly, compared to 60 percent in 1993. Could it be that Americans, impressionable saps that they are, think that news organizations owned by massive corporations cheapen their coverage and distort the truth?

You'd think the media would at least take *this* kind of cynicism seriously, since it poses a long-term threat to their cherished bottom lines. Yet pundits and politicians alike have too much at stake in imagining their constituencies as fundamentally inert receptacles of their various messages. The notion that the American people are easily manipulated—conned into either civic engagement or corrosive cynicism—helps to propel a politics concerned principally with impression management, which downgrades citizens into consumers. Dick Morris, the Clinton adviser whose poll-driven campaign initiatives created the bottomless demand for cash behind the current scandal, was the epitome of this style, methodically downsizing so-called values questions into bite-sized morsels of cosmetic moralizing—all with the explicit aim of stealing salable issues from the opposition party.

Since the campaign finance scandal broke, the cynical impulses of Clintonism have been lurching out of control. Clinton himself has given up the passive-voice diction of the trained bureaucrat ("the Lincoln bedroom was not sold"), and has begun to explain his meetings with donors as an honorable sort of checkbook populism. Likewise, the president has tried to dismiss his all-too-visible hand in procuring a $400,000-a-year job for Whitewater crony Webster Hubbell as but another helpful turn for a friend in distress.

Heretical though it may be, it's worth entertaining the notion that real civic journalism should embrace rather than bemoan the cynicism of the public—and treat the performances of the powerful with withering, cynical scorn rather than herd-like connoisseurship. Interestingly enough, a 1994 *New York Times*/CBS News poll found more than half of its respondents identified the Democrats as "the party of the rich." Perhaps if the media took the cynicism of the public more seriously—imagining it as something other than their own creation—they could find their way to a "civic" journalism more in tune with the people they claim to represent. ◁

Chris Lehmann is the editor of *Newsday*'s Sunday Currents section and a contributing editor of *In These Times*. This essay is adapted from a version that appeared in the online magazine *Salon*.

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IN THE END



Cynical and proud

By Chris Lehmann

We media professionals are most at ease when the public, spurred by our urgings and exhortations, rallies to public-spirited causes with the brisk reliability of a well-oiled weathervane. But now something is definitely out of whack. In the latest in a series of surveys bearing bad news for sober tribunes of the Fourth Estate, a *New York Times*/CBS News poll released on April 8 disclosed that the American people understand the current batch of Clinton campaign finance scandals all too well, but they have astonishingly little faith that anything can, or even should, be done about them.

In the poll, some 75 percent of respondents agreed that "many public officials make or change policy decisions as a direct result of money received from major contributors," and a combined 89 percent responded that the campaign finance system needs either "fundamental changes" or "to be completely rebuilt." But one of the most promising measures to curb the influence of money in politics, publicly financed national campaigns, was scotched by a resounding 79 percent of respondents, who saw it as too expensive. And our cherubic chief executive, who all but drips greenbacks these days, commanded a 56 percent approval rating, down only a little from his post-inaugural high of 60 percent.

We in the media have a glib explanation for this sagging public interest in public virtue: We're to blame for making Americans cynical. Over the last year or so, spurred in part by the publication of James Fallows' "issues"-minded critique of media attitudes, *Breaking the News*, reporters and pundits have embarked on a delirious bout of anxious self-examination. Over and over again, hapless news readers and viewers hear that the fabric of American democracy has been coarsened by the reflexive "gotcha" coverage that governs political reporting—the procedure of catching candidates, leaders and other public figures in small, ostensible hypocrisies.

In fact, all press protestations to the contrary, the Ameri-

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